

June 22, 2020

Linda Jann Lewis et al. v. Hughs

**United States District Court for the Western District of Texas
San Antonio Division**

Expert Report of Drs. Michael Herron and Daniel Smith

A handwritten signature in black ink, appearing to read "Michael Herron", written over a horizontal line.

Michael Herron

A handwritten signature in black ink, appearing to read "Daniel Smith", written over a horizontal line.

Daniel Smith

I Purpose of engagement

1 In the matter of *Lewis, et al. v. Hughs* we have been engaged by Plaintiffs to study four aspects of the vote-by-mail (VBM) system in Texas. These aspects are as follows.

- A. The extent to which the Texas Election Code defines VBM ballots to be late, and thus not eligible to be counted, if they are postmarked after 7:00 PM on Election Day or received by county election officials after 5:00 PM the day after the election (the “Receipt Deadline”); and, how the burdens on VBM voters associated with the current receipt deadline for VBM ballots in Texas could be attenuated if the state counted ballots postmarked by 7:00 PM on Election Day and received by the county election administrator before it canvases the election.
- B. The extent to which the Texas Election Code requires voters to pay for postage to return their completed VBM ballots; and, how supplying *postage-paid “carrier” return ballot envelopes* to VBM voters in Texas could reduce the burdens on these individuals.
- C. The extent to which the Texas Election Code bans third-party groups from assisting voters in mailing or delivering VBM ballots, except in narrow circumstances; how this affects the ability of some VBM voters to return their ballots; and, how the burdens on VBM voters in Texas could be attenuated by allowing trained and paid individuals working with third party groups to assist VBM voters to mail or deliver their ballots to local election officials.
- D. The extent to which the Texas Election Code requires county election officials to verify if a voter’s signature on a VBM return envelope matches the voter’s signature on an associated VBM application; and, how the burdens on VBM voters associated with Texas’s signature match requirement could be attenuated allowing VBM voters an opportunity to “cure” mismatched signatures before their ballots are rejected.

2 Throughout our analysis of the four points above, we describe as well how the burdens on VBM voters in Texas have increased as a result of the ongoing COVID-19 pandemic and global health emergency.

II Summary of conclusions

3 In the November 2016 General Election in Texas, over 520,000 vote-by-mail (VBM) ballots were cast, approximately 5.73 percent of the more than 9.0 million ballots cast in the election.¹ In the November 2018 General Election, there were over 8.4 million ballots cast in Texas.² Of these, more than 547,000 were VBM ballots, approximately 6.51 percent of all ballots cast.³

4 Despite the barriers faced by Texas voters who want to cast VBM ballots, the percentage of all ballots cast that were mail ballots hit a watershed mark in the March 3, 2020 presidential primary elections, indicative of the concerns Texas voters have about voting in person caused by the outbreak of the COVID-19 virus.

5 In the state's recent presidential primaries, held on March 3, 2020, in advance of COVID-19's peak in Texas, a total of more than 4.1 million voters turned out.⁴ In the 2020 Democratic presidential primary, over 146,000 voters cast VBM ballots, amounting to approximately 6.90 percent of total ballots cast. In the 2020 Republican presidential primary, over 112,000 voters cast VBM ballots, or approximately 5.59 percent of all ballots cast. Four years earlier, in the 2016 presidential

¹The total number of ballots cast in the election exceeds the total number of votes cast for the presidential candidates. See Office of the Secretary of State, "Race Summary Report, Unofficial Election Tabulation, 2016 General Election, 11/8/2016," available at https://elections.sos.state.tx.us/elchist319_state.htm (last accessed June 12, 2020).

²The total number of ballots cast exceeds the total number of votes cast for the U.S. Senate candidates. See Office of the Secretary of State, "Race Summary Report, Unofficial Election Tabulation, 2018 General Election, 11/8/2016," available at <https://www.sos.state.tx.us/elections/forms/enrrpts/2018-general.pdf> (last accessed June 12, 2020).

³The VBM figures in this paragraph are approximate and based on a Texas statewide voter file dated June 5, 2020. On p. 24 of this report, we describe what we mean by a Texas voter file. For the moment, it suffices to say that, for the 2016 and 2018 General Elections, the VBM counts in the body of the referenced paragraph are counts of the number of instances per election that have the code code of "AB" (absentee ballot).

⁴The total number of ballots cast exceeds the total number of votes cast for the Democratic and Republican presidential candidates in the two primaries. See Texas Secretary of State, "Official Canvass Report 2020 MARCH 3RD DEMOCRATIC PRIMARY, March 03, 2020," available at <https://results.texas-election.com/static/data/Reports/44145/CanvasReport.pdf?v=1592070033056> and Texas Secretary of State, "Official Canvass Report 2020 MARCH 3RD REPUBLICAN PRIMARY," March 3, 2020, available at <https://results.texas-election.com/static/data/Reports/44146/CanvasReport.pdf?v=1592071449356> (last accessed June 14, 2020).

primary elections, more than 76,000 Democrats cast VBM ballots (approximately 5.18 percent of all ballots cast), and more than 117,000 Republicans cast VBM ballots (approximately 4.15 percent of all ballots cast).

6 Historically, the majority of voters in Texas's statewide elections cast their ballots in-person. However, in the shadow of COVID-19, voters in other states are increasingly choosing to vote by mail when given the option to do so. As the COVID-19 pandemic continues, other states' experiences during the 2020 presidential primary season suggest that Texas's longstanding pattern of most voters casting ballots in person may not be sustainable given potential health risks associated with voting in person.

7 In Florida, for example, approximately 46.4 percent of the 3.04 million ballots cast in the state's March 17, 2020 Presidential Preference Primary were VBM ballots. Florida's VBM rate was more than 50 percent higher than the VBM rate in the state's 2016 Presidential Preference Primary (which was approximately 30.7 percent). This result obtained even though the spread of the COVID-19 virus was still in its infancy as of March 2020.⁵

8 Nationally, turnout in the 2018 General Election was high compared to 2014.⁶ Looking ahead to the November 2020 General Election in Texas, there is thus good reason to think that voter turnout in this upcoming election will rival the turnout level in Texas in the 2016 General Election, when more than 9 million voters cast ballots.⁷ Drawing on the use of VBM ballots in

⁵See "Election Results: 2016 Presidential Preference," available at <https://results.elections.myflorida.com/Index.asp?ElectionDate=3/15/2016&DATAMODE=> (last accessed June 12, 2020), and "2016 Presidential Preference Primary," available at <https://dos.myflorida.com/media/696916/early-voting-and-vote-by-mail-report-2016-ppp.pdf> (last accessed June 12, 2020). Florida's 2020 Presidential Preference Primary VBM and total votes cast calculated by the authors from the state's official May 2020 statewide voter file.

⁶See "Voter Turnout Rates Among All Voting Age and Major Racial and Ethnic Groups Were Higher Than in 2014," *United States Census Bureau*, April 23, 2019, available at <https://www.census.gov/library/stories/2019/04/behind-2018-united-states-midterm-election-turnout.html> (last accessed June 19, 2020)

⁷See, "Poll: Trump leads Biden by 3 points in Ohio, 6 points in Texas," <https://thehill.com/homenews/campaign/497294-poll-trump-leads-biden-by-3-points-in-ohio-6-points-in-texas> (last accessed June 18).

recent elections, we offer two scenarios that estimate the number of VBM ballots that might be expected to be cast by Texas voters who are 65 years old and older in the upcoming 2020 November General Election, as well as the number of late ballots and rejected ballots that we might expect.

9 Due to risks associated with being exposed to the coronavirus when voting in person, the ongoing imperative for social distancing, and the experiences that other states have had with elections during the pandemic, we expect an increase in demand by Texas registered voters to be able to vote a mail ballot in the November 2020 election. However, unlike Florida, Georgia, and more than 30 other states,⁸ most of Texas's registered voters are not eligible to vote by mail.

10 Furthermore, due to the many barriers Texas places on those voters who *are* eligible to vote by mail—including the state's VBM receipt deadline, its lack of pre-paid postage on VBM return envelopes, its restrictions on VBM voters receiving assistance, and not allowing mail voters to cure their signature on their VBM return envelope—even those Texas voters who do have an excuse to vote by mail, because of the state's restrictions, thousands of voters will not have their VBM ballot counted.

11 For example, if half of Texas's registered voters who are 65 years old and older—who under current Texas law do not need an excuse to vote a VBM ballot—were to cast VBM ballots in the upcoming presidential election, at least 7,500 VBM ballots likely would be rejected due to lateness.

12 *Pre-paid postage.* Texas does not provide voters casting mail ballots with pre-paid “carrier” return envelopes.⁹ Voters are required to provide their own stamps when mailing their VBM ballots

⁸See NCSL, “VOPP: Table 1: States with No-Excuse Absentee Voting,” available at <https://www.ncsl.org/research/elections-and-campaigns/vopp-table-1-states-with-no-excuse-absentee-voting.aspx> (last accessed June 20).

⁹See “Envelopes for Mail Ballots: Carrier Envelope,” *Texas Secretary of State*, available at <https://www.sos.texas.gov/elections/forms/pol-sub/5-22f.pdf> (last accessed June 14, 2020). Texas does, however, pay for the postage for voter registration applications. See “Voter Registration Postage,” *Texas Secretary of State*, available at <https://www.sos.texas.gov/elections/laws/voterpostage.shtml> (last accessed June 14, 2020).

to local election officials.¹⁰ In 2013, then Director of Elections, Keith Ingram, was concerned enough about the “increase in the number of ballots mailed back to Election Officials with insufficient postage” that he wrote to Texas county clerks, elections administrators, and city, school and other political subdivisions about a call/webinar hosted by the United State Postal Service to discuss “ideas on the required postage amount” on mail ballots.¹¹ Voters who do not have stamps at their residences might be compelled to risk contact with others to procure VBM return postage. In a pandemic, interacting with members of the public when purchasing postage portends a health risk is burdensome. This is especially true for those individuals who are most vulnerable to contracting COVID-19.

13 *VBM receipt deadline.* Texas counts VBM ballots that are received no later than 5:00 PM on the day after Election Day and only if the carrier envelope’s postmark indicates a time no later than 7:00 PM on Election Day. In the two most recent General Elections in Texas, thousands of voters—more than 3,700 in November 2016 and more than 4,300 in November 2018—cast VBM ballots that were received after the state’s deadline, and were thus not counted.

14 If Texas were to count as valid all VBM ballots arriving at election offices more than a day after Election Day but before the date of the canvas, so long as they were postmarked by Election Day, the burdens associated with voting by mail would be greatly reduced for all voters in the state. If the late-Spring presidential primaries in several states (Florida and Georgia, most notably) are any guide, there is a *demand* for mail voting by voters and little reason not to expect a surge in the demand for VBM voting in Texas and beyond come the November election. Given the ongoing COVID-19 pandemic, which has raised the health risks associated with in-person voting, a postmark

¹⁰See “Application for a Ballot by Mail,” *Texas Secretary of State*, available at <https://www.sos.texas.gov/elections/voter/reqabbm.shtml> (last accessed June 14). “Affix postage. If you printed the application you must place it in your own envelope and add postage. If you ordered the application online and it was mailed to you - fold the application in half, moisten top tab, seal and add postage.”

¹¹See “United States Postal Service (USPS) and Ballots Mailed Back to Election Officials,” available at <https://www.sos.texas.gov/elections/laws/usps-insufficient-postage-memo.shtml> (last accessed June 14, 2020).

deadline would help ensure that more voters who cast their VBM ballots on time would have these ballots count.

15 The COVID-19 pandemic has raised the level of uncertainty about advisable social and political activities, like congregating to vote, and this puts a premium on flexibility as to both when and where voters cast mail-in ballots. With a Election Day postmark-based deadline,¹² voters casting their ballots by mail would not face the risk of slow mail delivery, exacerbated by the coronavirus, leading to a late and thus not counted VBM ballot.

16 *Signature cure.* Thousands of VBM return envelopes containing ballots cast by eligible voters are rejected in Texas statewide elections. Some of these ballot rejections are caused by missing signatures and others by voters who sign their return carrier envelopes but whose signatures do not match signatures on file with local election offices. In Texas, ballots with mismatched signatures do not count. There are other ways for signature problems to lead to uncounted VBM ballots, i.e., if a voter's signature is mistakenly placed on the return envelope of the VBM ballot of a member of the voter's household. Per Texas law, VBM ballots with problematic signatures are rejected; such VBM voters whose ballots are rejected for a signature problem have no opportunity to cure their uncounted ballot. If Texas were to no longer reject ballots on the basis of signature mismatch, or provided VBM voters with an opportunity to cure their ballots if they were rejected due to a signature issue, the current burdens of voting by mail would be lessened, and more voters who vote by mail would have their votes counted.

17 *Third party assistance.* Texas law does not presently allow paid, third parties to assist voters with VBM voting. Trained and paid third party assistants in Texas could help VBM voters at their residences, minimizing the extent to which these voters encounter members of the public in the process of returning their VBM ballots. This would be of particular value to those Texas VBM

¹²Throughout this report, we use the term "postmark" to refer to any type of marking applied by the U.S. Postal Service, bar codes or other tracking marks indicating that a ballot was mailed on or before Election Day.

voters who face heightened health risks due to the COVID-19 pandemic. When a VBM voter leaves his or her residence, for example, to purchase postage and then mail their or her ballot, the number of potential interactions with others is greater than one, which is the number of interactions that a voter could have with a trained and paid third party assistant. Working with a trained, paid third party assistant would obviate the need for a VBM voter to even leave his or her residence, regardless of whether the voter planned to drop off a VBM ballot at a local election office or bring it to a post office.

18 In addition to minimizing contacts with others, trained third party assistants could ensure that VBM ballots cast by vulnerable Texans are delivered to post offices prior to Election Day, effectively guaranteeing on-time delivery if Texas were to adopt a postmark-based deadline for VBM ballot receipt. Trained and paid third party assistants could also transport VBM ballots to local elections offices, bypassing Post Offices entirely. Trained third party VBM voter assistance groups in Texas could consist not only of ballot collection and delivering but could also include reminders about ballot signing, which could diminish the number of VBM ballots submitted in the state with mismatched signatures.

19 Finally, for voters in Texas, who in the absence of a pandemic and concerns over their health, would normally vote in-person in Texas's upcoming elections, a transition to VBM voting will impose information costs. Namely, new VBM voters will have to learn *how* to vote by mail. This includes voters 65 and older who do not currently need an excuse to request a VBM ballot. But regardless of age, voters who transition to voting by mail in the state will especially face the same sorts of costs (financial, transportation, and time-based) that habitual VBM voters face.

III Qualifications

20 This section of the report presents the qualifications of the report's authors.

III.I Michael C. Herron

21 Dr. Herron is the William Clinton Story Remsen 1943 Professor of Government and Chair of the Program in Quantitative Social Science at Dartmouth College in Hanover, New Hampshire. Dr. Herron has taught at Dartmouth since 2003 and previously was on the faculty of Northwestern University. Dr. Herron has served as a visiting professor at Harvard University (July 2008–January 2009), the University of Rochester (September 2006–December 2006), and the Hertie School of Governance in Berlin (August 2011–August 2012). Dr. Herron has also served as a visiting scholar at the Hertie School of Governance (August 2016–July 2017).

22 In January 1998, Dr. Herron received a doctorate in the field of Political Economy from the Graduate School of Business at Stanford University. He also has a master’s degree in statistics from Stanford University (June 1995), a master’s degree in political science from the University of Dayton (August 1992), and a bachelor’s degree in mathematics and economics from Carnegie-Mellon University (May 1989).

23 Dr. Herron has published many scholarly articles on election administration and American elections, e.g., three such articles in 2019 and two in 2018. Among other subjects, he has written on the effects of ballot formats, patterns in invalid votes, the availability of early voting, and polling place congestion. His articles rely on statistical analyses, and my ongoing research agenda focuses heavily on issues in election administration.

24 Dr. Herron has published over 20 articles in peer-reviewed political science journals, including in the field’s top general journals (*American Political Science Review*, *American Journal of Political Science*, and *Journal of Politics*). I have published in specialty journals as well (*Election Law Journal*, *American Politics Research*, and *Legislative Studies Quarterly*). His *curriculum vitae* is attached to this report as Appendix F.

25 Dr. Herron was a testifying expert for plaintiffs in *League of Women Voters of New Hampshire et al. v. William M. Gardner et al.* (226-2017-CV-433) and in *Veasey et al. v. Abbott et al.* (265 F. Supp. 3d 684 (S.D. Tex. 2017)); a testifying expert for defendants in *Jennings v. Elections Canvassing Commission of Texas* (2006 WL 4404531 (Fla.Cir.Ct.)); a consulting expert for plaintiffs in *Caroline Casey, et al. v. NH Secretary of State, et al.* (No. 19-CV-149-JL); a consulting expert for plaintiffs in *Priorities USA and Rise, Inc. v. Jocelyn Benson* (Civil Action No. 19-000191-MZ); a consulting expert for plaintiffs in *Brakebill et al. v. Jaeger* (No. 1:16-CV-008, 2016 WL 7118548 (D.N.D. Aug.1, 2016)); a consulting expert for plaintiffs in *NAACP, et al. v. Husted, et al.* (43 F. Supp. 3d 808 (S.D. Ohio 2014)); a consulting expert for defendants in *Felicitas González and Flora Ruiz v. City of Compton* (Los Angeles Superior Court Case No. BC 450494); a consulting expert for defendants in *Radogno et al. v. IL State Board of Elections et al.* (United States District Court for the Northern Division of Illinois, Eastern Division, 836 F. Supp. 2d 759 (N.D. Ill. 2011)); a consulting expert for defendants in *Rosalinda Avitia, et al. v. Tulare Local Healthcare District, California* (Tulare County Superior Court Case No. 07-224773); and, a consulting expert for defendants in *Southwest Voter Registration Education Project et al. v. Kevin Shelly* (278 F. Supp. 2d 1131 (C.D. Cal. 2003)). All of these cases relate to aspects of election law and election administration.

26 Dr. Herron provided testimony in *League of Women Voters of New Hampshire et al. v. William M. Gardner et al.* and in *Veasey et al. v. Abbott et al.*. His testimony was credited by courts in their written opinions, and his opinions and testimony have never been found by a court to be unreliable.

27 Dr. Herron is being paid at a rate of \$550/hour for work in this litigation. His compensation is contingent neither on the results of the statistical analyses described herein nor on the contents of this report.

III.II Daniel A. Smith

28 Daniel A. Smith is Professor and Chair, Department of Political Science, at the University of Texas. He received his doctorate in Political Science from the University of Wisconsin-Madison in 1994. He is also President of ElectionSmith, Inc., a consulting firm based in Gainesville, FL, specializing in empirical research on electoral processes in the American states.

29 For over 25 years, Dr. Smith has conducted research on electoral politics in the American states, focusing on the effect of political institutions on political behavior. Dr. Smith has written extensively on election administration in the American states, including the effects of changes of election laws and rules on voter participation and turnout. He has published more than 80 articles and book chapters, including many that have appeared in the discipline's top peer-reviewed journals. Professor Smith's research has been cited over 3,000 times by academics. In addition, Dr. Smith has published two academic books on electoral politics in the American states and is the coauthor of a leading college textbook, *State and Local Politics: Institutions and Reform*, which includes several discussions of state voting laws, election administration, and voter participation and turnout, including in Texas. He has taught an array of undergraduate and graduate courses focusing on American political institutions and political behavior in the American states, including discussing Texas politics.

30 Dr. Smith has testified before the U.S. Senate and state legislatures on voting and election issues. A former Senior Fulbright Scholar, he has received numerous grants and awards for his work on campaigns and elections, including from the U.S. Department of State and the American Political Science Association ("APSA"). He is a past-President of the State Politics and Policy Section of the APSA. In 2010, he was the lead author of the "Direct Democracy Scholars" *amicus* brief in *Doe v. Reed*, which was successfully argued by the Attorney General of the state of Washington before the U.S. Supreme Court, and his scholarship has been cited in an opinion of the U.S. Supreme Court. His *curriculum vitae* is attached to this report as Appendix G.

31 Dr. Smith has served as an expert in election-related litigation in several states, hired by both plaintiffs and defendants (including serving as an expert for the State of Florida and the State of California defending their election laws). Most recently, he provided written reports and testified at federal trial in *Jones v. Ron DeSantis, etc. et al.* (Consolidated Case No. 4:19-cv-300, N.D. Fla.), where the court cited his written analysis of individuals convicted of a felony in Florida who are eligible, but for legal financial obligations, to have their voting rights restored, and *American Civil Rights Union v. Snipes* (Case No. 16-cv-61474, S.D. Fla.), where the court accepted his opinion in whole and the 11th Circuit Court of Appeals credited his analysis in its written decision upholding the district court's ruling. He provided written reports for successful plaintiffs in *Fair Fight Action v. Crittenden* (Case No. 1:18-cv-05391, N.D. Ga.), *DNC Services Corporation et al. v. Lee et al.* (Case No. 4:18-cv-520 (RH/MJF, N.D. Fla.)), *MOVE Texas Civic Fund, et. al. v. Whitley, et. al.* (Case No. 3:19-cv-00041, S.D. Tex.), and *Thompson, et al. v. Merrill, et al.* (Case No. 2:16-cv-783-ECM-SMD), and for defendants in *Judicial Watch, Inc., Election Integrity Project California, Inc. et al. v. Dean C. Logan, et al.* (Case No. 2:17-cv-08948-R-SK, C.D. Cal.), for successful plaintiffs in *Rivera v. Detzner* (Case No. 1:18-cv-00152, N.D. Fla.), for plaintiffs in *Ohio A. Philip Randolph Institute, et al. v. Secretary of State, Jon Husted* (Case No. 2:16-cv-00303, S.D. Ohio), for successful plaintiff-intervenors in *Florida Democratic Party v. Scott* (Case No. 4:16-cv-00626, N.D. Fla.), for successful plaintiffs in *Florida Democratic Party v. Detzner* (Case No. 4:16-cv-00607, N.D. Fla.), and for successful plaintiffs in *League of Women Voters of Florida v. Detzner* (Case No. 4:18-cv-00251, N.D. Fla.). All of these cases relate to aspects of election law and election administration.

32 Dr. Smith is being paid at a rate of \$500/hour for work in this litigation. His compensation is contingent neither on the results of his statistical analyses described herein nor on the contents of this report.

IV The calculus of voting

33 The *calculus of voting* is a theoretical framework that scholars regularly invoke, sometimes explicitly and other times implicitly, to guide inquiry when studying aspects of election administration. A framework like the calculus of voting can draw attention to important concepts in an analytical exercise and to connections between a research program’s agenda and a broader literature. Anchoring an analysis in an existing literature is an important facet of science, and this is true both in purely academic research programs and in programs of interest to courts.

34 We have invoked the calculus of voting in our academic work and in our work as expert witnesses, and we do so here to guide the analysis that follows. The calculus of voting posits that an individual’s decision to turn out and vote in an election should be understood as reflecting a comparison between the costs and benefits of this action. Attributed to Downs (1957) and Riker and Ordeshook (1968), per the calculus of voting an individual will turn out to vote if the benefits of doing so outweigh the costs, and will not vote otherwise.¹³

IV.I Benefits of voting

35 Broadly speaking, the benefits of voting can be broken into two categories. As discussed by Li, Pomante II and Schraufnagel (2018), one potential benefit associated with voting is instrumental: by casting a ballot for a given candidate, an individual increases the likelihood that this candidate will win his or her election. Prior to voting, of course, an individual does not know whether his or her vote will be pivotal to an election outcome. However, voting for a candidate increases this

¹³The calculus of voting can be interpreted deterministically (when voting’s benefits exceed its costs, a voter turns out for sure), and probabilistically (when the of voting benefits exceed costs, a voter is more likely to turn out). With respect to the latter, consider Brians and Grofman (2001), an empirical study of voter turnout in the United States elections in the elections of 1972 - 1996. Brians and Grofman model the probability that an individual turns out to vote, and in their paper this probability is allowed to vary with the costs of voting. Brians and Grofman would not argue that, when voting costs are high, individuals do not vote. Rather, they would argue that, when voting costs are high, individuals are less likely to vote, all things equal.

likelihood, even if by a very small amount.¹⁴

36 A second potential benefit of voting can be characterized as expressive (e.g., Brennan and Hamlin 1998; Drinkwater and Jennings 2007). Namely, a voter is said to receive an expressive benefit from voting if he or she values the act of expressing his or her opinion via casting a ballot. A voter can receive an expressive benefit from voting if voting is simply an activity that he or she likes to do. A voter can similarly receive an expressive benefit from voting if he or she values participating in a community exercise like an election.

IV.II Costs of voting

37 The costs of voting are severalfold. Registering to vote, gathering information and determining how and where and when to vote, traveling to and from a polling station or election office to obtain voting materials or to obtain and cast a ballot, and waiting in line to obtain these materials or vote, all entail costs. For scholarly literature on the attendant costs of voting, see Rosenstone and Wolfinger (1978); Rosenstone and Hansen (1993); Knack and White (2000); Brians and Grofman (2001); Knack (2001); Neiheisel and Horner (2019); Kaplan and Yuan (2020).

38 Traditionally, scholars have not explicitly incorporated *health risks* or risks of infection as a distinct cost of voting. Because the risk of infection has not been part of the calculus of voting, scholars have also not considered the extent to which voting lines at polling locations (which lead to congestion and possible exposure to infection) exacerbate this risk. Nor have scholars considered how lines at Post Offices pose health risks to VBM voters who visit such offices to purchase postage for VBM ballot returns or to put their ballot in the mail. Yet fear and anxiety about contracting the coronavirus, whether physiologically or mentally, may limit registered voters' movements to vote in person, either early or on Election Day. With the ongoing COVID-19 pandemic, the risk that voting poses to voters' health must be incorporated a distinct cost of voting, one that is part

¹⁴One can make a similar argument about statewide referenda or local issues that appear on ballots. There is nothing in the calculus of voting that requires an election to involve candidates *per se*.

of the post-pandemic scholarly understanding of the calculus of voting.

IV.III Costs of voting by mail

39 Voting by mail has often been characterized as a “convenience” (Gronke 2012). As with in-person voting, though, voting by mail has its own set of costs.

40 Another cost of voting is *time*, as discussed by Mukherjee (2009) and Herron and Smith (2015). A registered voter wishing to vote by mail typically needs to request (in person, online, or by phone) that a local election official send a ballot to him or her. Some registered voters may have to locate and provide additional materials when requesting mail ballots. Potential mail voters must wait for an election official to send out a ballot, typically via the United States Postal Service. In Texas, some election officials warn that relying on the Postal Service to move a ballot from a voter to a local election office may take a week (which implies that moving a ballot from a local election office to a voter may also take a week).¹⁵ The Postal Service similarly states that, “For domestic nonmilitary voters, [we] [recommend] that voters mail their marked return ballots at least 1 week before the due date to account for any unforeseen events or weather issues.”¹⁶

41 A second cost of voting is *information*. For in-person voters, knowing where to vote and the hours of voting requires an individual to have information about in-person voting processes. The same is true for voters wishing to cast ballots by mail. Knowing how to request a VBM ballot, knowing when requesting such a mail ballot is permitted or restricted, knowing how long it might take for a requested VBM ballot to arrive, and knowing how to complete a VBM ballot and return envelope so that one’s ballot will be counted all require specific knowledge.

¹⁵According to the Tom Green County Elections Administrator, “When calling to request an [ballot by mail] application by phone, remember to allow enough time for the application to be mailed to you and returned in order to be in the office by the deadline,” *Tom Green County*, available at <http://www.co.tom-green.tx.us/upload/page/0095/docs/2020BallotByMailX.pdf> (last accessed June 10, 2020).

¹⁶“STATE AND LOCAL ELECTION MAIL—USER’S GUIDE,” *United States Postal Service*, January 2020, available at <https://about.usps.com/publications/pub632.pdf> (last accessed May 21, 2020).

42 As with voting in person, VBM voting can incur *transportation* costs. For example, if voters are concerned about the reliability or timeliness of their mail ballot delivery, election officials advise them to travel to an election office during a set window of time, to either pick up or return their ballot in person, which can entail both time commuting, waiting in line, or, in a pandemic, health risks.

43 A fourth cost of voting by mail is *financial* (Tokaji and Colker 2007). Not all local jurisdictions include pre-paid postage for VBM ballot return envelopes. Although perhaps a minor cost for many voters, the cost of postage is real for some. Moreover, not all voters who wish to cast a mail ballot have access to postage. And, not all voters are necessarily close to a Post Office or conceivably to a grocery store or pharmacy where one can purchase stamps; not all have access to the internet; and not all have ready access to printers. As such, the cost of purchasing stamps for a return envelope is not only financial, it may also entail transportation and time costs.¹⁷

44 The extent to which any of these given costs burdens an individual is dependent on an individual's personal circumstances. For individuals who are unemployed, transient, homeless, or have insecure housing, the cost of receiving and returning a mail ballot could be consequential. For individuals whose employment situations are rigid time-wise, separate trips to an election office to secure or return a mail ballot could be burdensome. For individuals who need assistance voting, particularly those who are at higher risk of severe complications from COVID-19, the conditions placed on those eligible to vote by mail are particularly burdensome.

45 For example, in every November in which there is a federal election, the U.S. Census Bureau conducts a Voting and Registration Supplement to its Current Population Survey (CPS). The survey

¹⁷According to the National Conference of State Legislatures, "16 states have statutes requiring local election officials to provide return postage for mailed ballots." These states are Arizona, California, Delaware, Hawaii, Idaho, Iowa, Kansas, Minnesota, Missouri, Nevada, New Mexico, Oregon, Rhode Island, Washington, West Virginia, and Wisconsin. See "Which states pay for postage to return an absentee ballot?", *National Conference of State Legislatures*, available at <https://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx> (last accessed May 31, 2020).

asks respondents about their election-related activities, including whether or not they voted in the General Election, as well as information as to whether an individual had a disability (e.g., hearing difficulty, vision difficulty, cognitive difficulty, ambulatory difficulty, self-care difficulty, independent living difficulty). Among the set of Texas respondents who did not vote in the 2016 General Election, roughly 34 percent of respondents who reported having a disability said they did not vote for reasons related to an illness or a disability; in contrast, only 9 percent of non-voting respondents who did not report having a disability said they did not vote because of an illness or disability.¹⁸

IV.IV The COVID-19 pandemic and costs of voting by mail in Texas

46 There are three ways in which the COVID-19 pandemic will affect the cost of voting by mail in Texas in the state’s November 2020 election.

47 First, the pandemic is likely to lead to an increase in the demand for VBM voting in Texas, the forefront of which will be many new VBM voters. These individuals, who ordinarily vote in-person, will face new costs as they learn to navigate a new voting process. Second, the surge in VBM voting will stress the administrative capacity of local election officials in ways that could rebound on all VBM voters, both new ones and individuals who traditionally cast VBM ballots. Third, the COVID-19 pandemic poses health risks to all Texas VBM voters (and in-person voters), regardless of whether they voted VBM previously or not. We address these points in turn.

48 *A surge in VBM voting — new VBM voters.* In state after state this Spring—from mid-March until early June—a surge of voters opted to cast mail ballots in presidential primaries. The sharp uptick in mail voting in Florida in the state’s March 17, 2020 presidential primary election, as documented earlier, was not unique. In Georgia, over 800,000 voters cast VBM ballots in the state’s June 9 primary, 20 times more than the roughly 37,000 VBM ballots that were cast in Georgia’s 2016 presidential-year primary. In order “[t]o help anticipate the surge in absentee ballot requests,”

¹⁸See “Elections Performance Index: Methodology Report,” August 2018, available at <https://elections.mit.edu/2016-epi-methodology.pdf>, p. 21 (last accessed June 13, 2020).

the Georgia Secretary of State's office, "mailed 6.9 million absentee ballot request forms to active Georgia voters, a process that took only 6 days from ideation to execution."¹⁹

49 Assuming that COVID-19 pandemic does not wane in the near future—and in fact the Centers for Disease Control and Prevention (CDC) has predicted that a second wave of coronavirus infections is expected in the upcoming winter and that this wave may be more "devastating" than the initial wave that struck the United States and possibly also contemporaneous with the start of a new influenza season—Texas should expect surge in VBM voting in its upcoming elections.²⁰ A surge in VBM voting is essentially shorthand for, a surge in new VBM voters, all of whom will have to learn how to navigate a new voting process.

50 For voters in Texas who in the absence of a pandemic would have voted in-person, the transition to VBM voting will impose information costs. Namely, new VBM voters will have to learn *how* to vote by mail. Voters transitioning to voting by mail will also face the same sorts of costs (financial, transportation, and time-based) that habitual VBM voters face.

51 *Administrative stress.* The VBM voting process writ large involves a number of distinct steps. These steps engage local election officials, who must process VBM requests, send out VBM ballots, and then process returned ballots, and the United States Postal Service, which transports ballots from local election officials to voters and then back.

52 As the number of VBM voters grows on account of the COVID-19 pandemic, there will be increased stress on institutions that are necessary for smooth VBM operations. We should expect reaction times of local election officials to be slower and mail delivery to be slower as well. These

¹⁹See "GEORGIA VOTING ADAPTS: SURGES PAST 1 MILLION VOTE MILESTONE," Georgia Secretary of State, June 4, 2020, available at https://sos.ga.gov/index.php/elections/georgia_voting_adapts_surges_past_1_million_vote_milestone (last accessed June 20, 2020).

²⁰See "CDC director warns second wave of coronavirus is likely to be even more devastating," *The Washington Post*, April 21, 2020, available at <https://www.washingtonpost.com/health/2020/04/21/coronavirus-secondwave-cdcdirector/> (last accessed May 18, 2020).

will all serve to increase the risk of a late VBM ballot. Late VBM ballots do not count, and the risk of casting such a ballot is a cost of voting.²¹

53 *Health risks.* For voters transitioning to VBM on account of the COVID-19 pandemic, and voters in Texas who would have voted by mail in November 2020 regardless of the coronavirus, the risks of COVID-19 constitute additional costs of voting by mail. For example, VBM voters who have to visit a public space to procure postage or to deliver their ballots in-person to meet a legal receipt deadline will expose themselves to potential infection. Such a health risk is a cost of voting by mail that has resulted from the ongoing pandemic.

V The mechanics of VBM voting in Texas

54 Here we briefly outline the way VBM voting operates in Texas.

55 A registered voter wishing to cast a mail ballot in Texas must complete an application to receive a VBM ballot and submit it to the early voting clerk in the county in which they are registered. Applications must be received at least 11 days before the election in which the voter seeks to request a ballot by mail. Those who are eligible to request a VBM ballot may have their ballot sent to them for the calendar year.²²

56 When local election officials receive a completed VBM ballot envelope returned by a voter, it is assigned a return date. In the elections analyzed in this report, VBM ballots were required to

²¹Potentially late VBM ballots are not the only risk to VBM voting that administrative stress poses. If local election officials face a deluge of VBM requests, they may be more prone to misplacing some of the requests or making small errors when handling them. Handling errors could in principle lead to VBM ballots that never reach requesting voters.

²²According to Texas Election Code, “SUBMITTING APPLICATION FOR BALLOT VOTED BY MAIL: GENERAL RULE,” TITLE 7. §84.007(c), “an application may be submitted at any time in the year of the election for which a ballot is requested, but not later than the close of regular business in the early voting clerk’s office or 12 noon, whichever is later, on the 11th day before election day unless that day is a Saturday, Sunday, or legal state or national holiday, in which case the last day is the first preceding regular business day.”

be postmarked no later than 7:00 PM on Election Day and received no later than 5:00 PM the day after Election Day.²³

57 Voters casting mail ballots in Texas must place their voted ballots in official ballot envelopes, seal the ballot envelopes, place the ballot envelopes inside official carrier envelopes, seal the carrier envelopes, affix the proper amount of postage, and sign the certificates on the carrier envelopes. They also must ensure that their ballots are postmarked by 7:00 PM on Election Day and received by 5:00 PM the day after Election Day to be counted.

58 In each county in Texas, an early voting ballot board processes returned VBM ballots.²⁴ The early voting clerk determines if an early voting signature verification committee is to be appointed.²⁵ A county's early voting clerk maintains a roster of who early voted. The early voting clerk also delivers ballots to the ballot board for counting and reports the canvass.

VI Characterizing VBM voting in Texas

59 Having described the mechanics of VBM voting in Texas, we now explain how we gathered and assembled data on VBM voting in the state in the 2016 and 2018 General Elections.

VI.I County data on VBM ballots

60 To the best of our understanding, Plaintiffs' Counsel sent public records requests to all 254 Texas counties requesting data on, *inter alia*, VBM ballots sent to registered Texas voters and the final dispositions of these ballots. These public records requests sought information for the 2014,

²³When assessing the timeliness of VBM ballots cast in Texas, this report does not assess military and overseas voters. For details on these individuals, see Federal Voter Assistance Program, "Voting Assistance Guide," available at <https://www.fvap.gov/guide> (last accessed June 6, 2020).

²⁴Members include a presiding judge and at least two other members selected from lists submitted by the county political parties. See Texas Election Code, TITLE 7. 87.002, available at https://texas.public.law/statutes/tex._election_code_section_87.002 (last accessed June 13, 2020).

²⁵See Texas Election Code, TITLE 7. §87.027, available at https://texas.public.law/statutes/tex._election_code_section_87.027 (last accessed June 13, 2020).

2016, and 2018 General Elections in Texas. The reason for such a decentralized, county-based approach to data gathering on VBM voting in Texas is the fact that the Texas statewide voter file, which we comment on below, does not contain information on rejected and late VBM ballots. To the best of our knowledge, there are no statewide databases in Texas that track this information in the sufficiently refined way needed in this report.

61 As of the writing of this report, 74 counties in Texas have responded to the aforementioned public records requests.

VI.II Variability in county data on VBM ballots

62 There is variability in the way that the 74 counties responded to the public records requests submitted by Plaintiffs' Counsel. Some counties responded by sending information on what appears to be *all* VBM ballots cast in the counties in the 2014, 2016, and 2018 General Elections. For these counties, we know the number of accepted VBM ballots and, in principle, the number of late or rejected ballots. Other Texas counties, however, responded to the public records requests by sending information on rejected or late, or otherwise problematic, VBM ballots *only*. For these counties, our information consists only of details on rejected VBM ballots and late VBM ballots.

63 Beyond the matter of late or rejected ballots, there is variability in the breadth of information sent by counties in response to public records requests. Some counties reported where uncompleted VBM ballots were deposited by voters who, after requesting VBM ballots, chose to vote in-person; some reported statistics on VBM ballots that were sent to voters but not returned to election offices; and other counties provided explicit reasons for a VBM ballot request being deemed problematic (i.e., voter does not meet necessary criteria for voting via VBM per Texas election law). These issues are beyond the scope of the analysis in this report, but they serve as evidence of the wide variety of ways in which Texas counties responded to requests about VBM voting.

64 Table 9 in Appendix A lists the 74 counties from which we have received VBM data and the number of VBM observations per county and per general election. Roughly speaking, what we are calling an “observation” in Appendix A is a voter’s request for a VBM ballot. To emphasize a point noted above, however, what constitutes an observation in one county may be different than what constitutes an observation in another. Some counties, for example, provided information about requests for VBM ballots that were subsequently rejected, while other counties did not. This means that the number of VBM observations in Table 9 for a given county and given election may not equal the number of accepted VBM ballots in the county or even the number of VBM ballots that were sent to voters in said county.

VI.III Key fields in in county data on VBM ballots

65 From the information that 74 counties sent in response to public records requests, we focused in particular on three types of data fields: voter identification, VBM ballot dates, and VBM ballot return status. We address these in turn.

66 *Voter identification.* Some observations in our county-level data include official Texas voter identification numbers (“VUID”). To the extent that these numbers were in the data supplied by counties, we kept track of them. These numbers allow us to link a VBM ballot to a record in the Texas statewide voter file, as discussed below.

67 *Dates.* Each VBM ballot in Texas is associated with three dates: a *request* date (when a voter formally requested a VBM ballot), a *send* date (when a ballot was sent to a voter), and a *return* date (when a ballot was received by local elections officials after having been filled out and returned by a voter). To the extent that these three dates were in the data we received, we kept track of them.

68 Of the three dates associated with each VBM ballot, the most important for the purposes of this report is a VBM ballot’s *return* date. This date can help us understand if a ballot was

returned to local elections officials *after* the state's deadline for VBM ballot receipt, thus too late to be counted.

69 *Ballot return status.* What we call a VBM ballot's return status is an indicator of the final disposition of a VBM ballot request. To the extent that information on final VBM ballot dispositions was in the data we received from the 74 counties, we kept track of said information.

70 We are interested in four return statuses in particular. These are as follows.

- *Late ballot:* a VBM ballot that was not counted because it was received by local election officials after the statutory deadline.
- *Rejected, no signature:* a VBM ballot that was rejected, and did not count, because the return envelope containing it lacked a signature.
- *Rejected, signature match:* a VBM ballot that was rejected, and did not count, because the signature on the ballot's return envelope did not match a voter's signature on file.
- *Rejected, other:* a VBM ballot that was rejected, and did not count, for reasons other than lacking a signature or a signature match problem.

71 To the extent possible, we assigned each VBM ballot observation in our data from 74 counties a return status code based on data supplied in response to public records requests. In some cases, these data were easily connected to the four return statuses of interest to us. For example, if a county stated that a ballot was late—characterizing it as "Rejected - Received After Deadline"—then we assign this ballot a return status code that means, late.

72 Table 10 in Appendix B lists the four key return status codes above and the terms in our county data that we used to construct them.²⁶

²⁶For the purposes of this report, we implemented other return status codes beyond those that track late and rejected VBM ballots. One of these codes tracks, among other things, VBM requests associated

73 Table 10 in Appendix B also lists the county terms that we use to construct the return status of "Okay." We draw on this status below, when discussing how to identify late VBM ballots.²⁷

VII The Texas statewide voter file

74 Above we have noted the existence of a Texas statewide voter file. The term *voter file* is a generic term for a list of registered voters in a jurisdiction. The official name of the Texas voter file is a "Voter registration list."²⁸

75 The Texas voter file that we use in this report lists registered voters in Texas who have participated in recent statewide elections, contains voter-level demographics like age and gender, and includes other voter-level features like mailing addresses. With respect to what we mean by recent statewide elections, our voter file describes the extent to which the registered voters listed in it participated in the 2016 Democratic and Republican Primaries (March 2016), the 2016 General Election (November 2016), the 2018 General Election (November 2018), and the 2020 Democratic and Republican Primaries (March 2020). The voter file includes history codes for participation in these elections. Among these are "ED," meaning that a voter cast a ballot on Election Day, "EV," meaning that a voter cast an early ballot, and "AB," meaning that a voter cast an absentee ballot, what in this report is called a VBM ballot.²⁹

with individuals who passed away after making said requests. We ignore these requests in this report. A related code tracks canceled VBM requests, which also do not contribute to the report's conclusions.

²⁷Some of the VBM ballots in our county-level data are associated with multiple return status codes. If a ballot has multiple return status codes and at least one of these is "Okay," then we treat the ballot as if it were "Okay." To the extent that 'Okay' ballots are accepted, this is conservative insofar as we later present counts of the number of late and rejected VBM ballots cast in Texas in the 2016 and 2018 General Elections. In addition, if a ballot has multiple return status codes, one of which involves an indication that a VBM requested had passed away, we ignore the VBM request. And, if in a given county's data a VBM ballot has a valid return status code and a missing code, then we treat the ballot as being associated with the former.

²⁸See "VOTER REGISTRATION PUBLIC INFORMATION REQUEST FORM," Texas Secretary of State, available at <https://www.sos.state.tx.us/elections/forms/pi.pdf> (last accessed June 19, 2020).

²⁹According to the form that one can use to order a copy of the Texas voter file (see fn. 28), the voter file identifies those voters whose VBM ballots were rejected by giving these individuals codes of "AX." Similarly, the code "AV" denotes an accepted VBM ballot, as opposed to simply a received VBM ballot.

76 Texas voter files are indexed by ten-digit voter identification numbers, previously described as VUIDs. We mentioned these numbers, above, in our discussion of data field in county VBM data. When a county's data contains VUIDs, then we can link an instance of a VBM ballot with a record in the Texas voter file.

77 Our Texas voter file is dated June 5, 2020 and was provided to us by Plaintiffs' Counsel. This file contains 11,090,147 registered voters (9,761,646 are active, 891,651 are in a suspense category, and 436,807 have been canceled) who have voted in recent Texas elections.³⁰ In total, the Texas voter file on which we draw has 25,940,055 total records. This number is greater than the number of registered voters in the file because voters have multiple lines in the file if they voted in more than one of the elections noted above.

VII.I How we apply ballot return codes

78 We now describe how we determine if given VBM ballot cast in Texas was late or rejected.

VII.II Assessing if a VBM ballot was late

79 If a ballot has a return status code that is late based on our county-level data, we treat the ballot as late. However, given the variability in the way that counties responded to public records requests, not all ballots in our county-level data have return status codes in the first place.

80 Therefore, if a ballot has a return date that is after the statutory deadline *and* cannot be matched to a voter file record that is associated with an overseas military address, we also classify the ballot as late.³¹ This latter requirement reflects the fact that the ballot receipt rules that apply

However, our voter file does not contain any records with "AV" or "AX" codes.

³⁰The number of registered voters in our Texas voter file is greater than the number of registered voters whose statuses are active (official status code of "V"), suspense ("S"), or canceled ("C"), and this is because 49 registered voters in the file appear to have erroneous status codes.

³¹Ballots without return dates in the data produced by counties, therefore, cannot be late based on this metric.

to domestic VBM ballots are different than those that apply to overseas military VBM ballots.³² To determine if a VBM ballot is domestic, we ensure that the mailing zip code associated with it is does not indicate a foreign county and that the ballot's mailing city is neither "APO" (Army Post Office) nor "FPO" (Fleet Post Office).³³

81 Of VBM ballots that are late based on return date and cannot be matched to overseas military addresses, 791 have a return status code 'Okay' and in our June 2020 voter file are associated with a code of "AB" (meaning, absentee ballot). We cannot ascertain whether these 791 ballots were truly late.³⁴ Our qualitative conclusions about VBM voting in Texas do not depend on whether we treat the aforementioned 791 ballots as late although, of course, the precise counts of late ballots in the state does depend on this. Accompanying the analysis that follows is an appendix that provides tables and figures based on defining a late VBM in a way that does not include the 791 ballots noted here.

82 Table 11 in Appendix C lists observation counts for counties that for the 2016 and 2018 General Elections specify the number of VBM ballots for which we can assess lateness. The numbers in this table are no greater than the overall observation counts in Table 9, and this reflects the fact that we do not have the necessary details to assess VBM ballot lateness for all of the VBM ballots in our dataset.

³²This is generically true in the United States and not a feature of Texas election law.

³³We draw our list of foreign military zip codes from "Appendix D (Recommended Mailing Dates) to MPSA 2020 Strategic Postal Voting Action Plan," *Federal Voting Assistance Program*, available at <https://www.fvap.gov/uploads/FVAP/VAO/RecommendedMailingDates.pdf> (last accessed June 14, 2020). A voter's mailing address is drawn from the June 2020 statewide voter file.

³⁴Of VBM ballots that have a return status of 'Okay' and a Texas VUID, 312,483 have "AB" codes in the Texas voter file, 517 do not, and 16,670 have no record of voting per the Texas voter file. This raises a question about whether a county designation of 'Okay' is always indicative an accepted VBM ballot.

VII.III Assessing if a VBM ballot was rejected

83 To assess if a given VBM ballot was rejected, we require that it have a return status code. With such a code, we can check if the ballot is characterized as "Rejected, no signature," "Rejected, signature match," or "Rejected, other." Whether any VBM ballot is domestic (see the above discussion of ballot lateness and military addresses) is not germane to whether it was rejected. Moreover, determining whether a ballot was rejected does not require that the ballot be associated with a Texas VUID.³⁵

84 Table 12 in Appendix D lists instances of VBM ballots per county and election that can be assessed for rejection.

VIII VBM usage in Texas's 2016 and 2018 General Elections and in Texas's 2016 and 2020 Democratic and Republican presidential primaries

85 Table 1, which draws on the statewide voter file, details the number of registered voters in Texas who cast VBM ballots in the two most recent November General Elections and the two most recent Democratic and Republican presidential primaries in the state.³⁶

86 Over 520,000 VBM ballots, or 5.73 percent of the more than 9.0 million ballots cast in the 2016 General Election, were VBM ballots. Over 547,000 VBM ballots, or 6.51 percent of the more than 8.4 million ballots cast in the 2018 General Election, were VBM ballots.

³⁵Some VBM ballots that we classify as rejected are associated with Texas voters who cast valid in-person votes. These ballots are nonetheless rejected, and we count them as such.

³⁶Our statewide voter file does not include voter history codes for the 2014 General Election. As a result, our analysis does not include the 2014 General Election.

87 With regard to the two most recent Democratic and Republican presidential primaries, Table 1 shows that in the March 2016 Democratic primary, more than 76,000 ballots, or 5.18 percent of all ballots cast, were VBM ballots, and in that year’s Republican primary, more than 117,000 ballots cast, or 4.15 percent of all ballots cast, were VBM ballots. In the March 2020 primaries, more than 146,000 ballots cast in the Democratic primary, or 6.90 percent of all ballots cast, were VBM ballots, and more than 112,000 ballots cast in the Republican primary, or 5.59 percent of all ballots cast, were VBM ballots.

Table 1: Voting methods in recent Texas statewide elections

Election	Election Day	Early	VBM	VBM percent
2016 Democratic Primary	835,765	558,518	76,180	5.18
2016 Republican Primary	1,624,720	1,092,115	117,733	4.15
2016 General	2,353,278	6,201,989	520,481	5.73
2018 General	2,295,666	5,563,319	547,377	6.51
2020 Democratic Primary	1,095,497	885,799	146,812	6.90
2020 Republican Primary	910,122	985,822	112,183	5.59

88 Texas’s recent Democratic and Republican presidential primary elections, which took place on March 3, 2020, were held just as the COVID-19 crisis was starting to build in the state.³⁷ In light of the increase in VBM ballots cast in other states’ 2020 Spring elections that we have already noted—if not for the barriers to voting by mail in Texas—there most likely would have been a greater spike in the use of VBM ballots in the March 2020 presidential primaries. Due to continued concerns over the COVID-19 crisis, we expect there to be an even greater demand by voters in Texas to want to vote by mail in the upcoming July 2020 runoff elections and November 2020 General Election, that is, assuming that the pandemic does not wane, something that per the CDC is not expected.³⁸

³⁷See “Texas’ first coronavirus death is elderly Matagorda County man,” available at <https://www.dallasnews.com/news/public-health/2020/03/17/texas-first-coronavirus-death-is-elderly-matagorda-county-man/> (last accessed June 14, 2020).

³⁸See fn. 20.

IX Late VBM ballots in Texas

89 This section of the report considers the burdens associated with Texas’s deadline for receipt of VBM ballots. When describing the mechanics of VBM voting in Texas (see Section V), we noted that, after a domestic VBM voters in the state receives their VBM ballot, the ballot must be postmarked by 7:00 PM Election Day and returned to the local election office no later than 5:00 PM one day after Election Day, for it to be eligible to be counted. We noted above that different rules apply to overseas and military voters, and our analysis excludes VBM ballots cast by domestic and overseas UOCAVA voters as best as we can determine, as describe above.

90 It is important to recognize that Texas’s VBM deadline depends on both the actual date of a ballot being received by a local elections official and the return envelope’s postmark date. If, for example, a VBM voter in Texas mails a completed ballot to his or her SOE three days before Election Day, but the Postal Service takes five days to deliver it, the voter’s ballot will arrive after the official VBM deadline (5:00 PM the day after Election Day) and will not be counted, even though it was postmarked prior to Election Day. Under current Texas law, there is no way for a Texas VBM voter to cure a late ballot.

91 It is also important to note that a VBM voter cannot return a ballot until he or she has received it from a local election official. If a local election official mails a ballot to a voter close to Election Day, it might arrive at the voter’s residence too late to be sent back to a local election official and still arrive by 5:00 PM the day after Election Day.

IX.I Late VBM ballot rates across Texas

92 In Appendix A, Table 9 provides a raw count of the total number of VBM observations for each of the 74 counties in our dataset in the 2016 and 2018 General Elections. Table 9 lists the 74 counties in our compiled dataset alphabetically. Each observation in each election in Table 9 reflects an instance of a VBM ballot being issued to a registered voter and then possibly being returned by

the voter to the local elections official. More details on the VBM ballot observations in Table 9 can be found in Appendix A.

93 Formally, we define a *late* VBM ballot as a non-UOCAVA domestic VBM ballot that: 1) had a date of being received by a local election official that was more than one day *after* Election Day; and/or 2) was coded as arriving after the state's deadline by a local election official, even if the VBM ballot did not have a return date associated with it. We take these late ballots as not being counted.³⁹ More details on how a VBM ballot is evaluated for lateness can be found in Appendix C and in Appendix E.

94 As shown in Table 2, across the 74 counties in our dataset, 340,642 non-UOCAVA domestic VBM ballots were returned to local election officials in the 2016 General Election. Of these, we identify 3,760 VBM ballots that were received by local elections officials *after* the state's deadline, or 1.10 percent of the total VBM ballots received in the 2016 General Election. Table 2 also shows that across the 74 counties in the 2018 General Election, 360,234 non-UOCAVA domestic VBM ballots were returned to local election officials; of these, we identify 4,378 VBM ballots that were received by local elections officials *after* the state's deadline, or 1.22 percent of the total VBM ballots received. Recall that the 2016 and 2018 General Elections took place before the COVID-19 pandemic.⁴⁰

95 Table 3 enumerates for the November 8, 2016 General Election, and Table 4 enumerates for the November 6, 2018 General Election, the daily number of returned VBM ballots received by

³⁹Due to lack of postmark data in the files we received from the 74 counties in our dataset, we are unable to determine whether returned VBM carrier return envelopes were postmarked by 7:00 PM on Election Day.

⁴⁰To calculate the number of VBM ballots cast in the 2016 General Election, we sum the number of VBM ballots in the June 2020 Texas voter file that have codes of "AB," the number of ballots we identify in our county-level data as late and that cannot be linked to a voter file record that has a code of "AB," and the number of ballots we identify in our county-level data as rejected and that cannot be linked to a voter file record that has a code of "AB." From this sum, we then subtract the number of VBM ballots that we identify in our county-level data as both late and rejected and that cannot be linked to a voter file record with a code of "AB." We utilize the same process in the 2018 General Election.

Table 2: Late domestic VBM ballots

Election	VBM ballots	Late	Late percent
2016	340,642	3,760	1.10
2018	360,234	4,378	1.22

local election offices *after* the state’s deadline, and the daily cumulative percent of these late VBM ballots in each election. Recall, from our previous discussion of what constitutes a late VBM ballot, that Tables 3 and 4 have fewer late ballots than summarized earlier in Table 2, as Table 2 includes VBM ballots coded by local election officials as arriving after the state’s deadline but that do not have a date received. We are unable to list VBM ballots without dates in Tables 3 and 4.

96 As Tables 3 and 4 show, in both elections thousands of registered voters in Texas cast VBM ballots that, due to lateness, were not counted.⁴¹ If Texas’s cutoff rule for valid VBM ballots was altered so that VBM ballots that were postmarked by Election Day but that arrived up to a week after Election Day, thousands more VBM ballots would have counted in both General Elections. If, say, the state adopted a seven day deadline for VBM ballot receipt, in the 2016 General Election as many as 2,427 VBM ballots that did not count due to lateness—which accounts for roughly 80 percent of all the late domestic VBM ballots received by the 74 counties in our dataset—would be added to the total votes cast. In the 2018 General Election, as many as 2,851 more VBM ballots that did not count due to lateness—which accounts for roughly 82 of all the late domestic VBM ballots received by the 74 counties in our dataset—would be added to the total votes cast in the election. It is clear from the two tables that the burdens on voters casting VBM ballots that are associated with the state’s ballot deadline affects thousands of Texas voters. It is also clear that the number of late VBM ballots increased from 2016 to 2018.⁴²

⁴¹The number of late VBM ballots in Table 2 is a conservative estimate of the true number of late ballots received by Texas local election officials. Among other things, in this report we have data on ballot lateness only from 74 counties.

⁴²Participants in midterm (non-presidential) elections tend to be more educated and politically engaged than those who participate in presidential contests (Wolfinger and Rosenstone 1980; Leighley and Nagler 2013). For this reason, it is notable that the rate of late VBM ballots in 2018 was greater than the late ballot rate in 2016.

Table 3: Late domestic VBM ballots by day, 2016 General Election

Date	Late ballots	Cumulative count	Cumulative percent
November 10, 2016	334	334	11.05
November 11, 2016	894	1,228	40.62
November 12, 2016	91	1,319	43.63
November 13, 2016	0	1,319	43.63
November 14, 2016	798	2,117	70.03
November 15, 2016	310	2,427	80.28
November 16, 2016	141	2,568	84.95
November 17, 2016	16	2,584	85.48
November 18, 2016	126	2,710	89.65
November 19, 2016	0	2,710	89.65
November 20, 2016	0	2,710	89.65
November 21, 2016	55	2,765	91.47
November 22, 2016	79	2,844	94.08
November 23, 2016	4	2,848	94.21
November 24, 2016	0	2,848	94.21
November 25, 2016	0	2,848	94.21
November 26, 2016	0	2,848	94.21
November 27, 2016	0	2,848	94.21
November 28, 2016	90	2,938	97.19
November 29, 2016	20	2,958	97.85
November 30, 2016	23	2,981	98.61
December 1, 2016	7	2,988	98.84
December 2, 2016	3	2,991	98.94
December 3, 2016	0	2,991	98.94
December 4, 2016	0	2,991	98.94
December 5, 2016	24	3,015	99.74
December 6, 2016	3	3,018	99.83
December 8, 2016	5	3,023	100.00

97 For another perspective on how the rate of VBM ballots received by local election offices after the state’s deadline might lead to substantial rejected ballots in the November 2020 election, there were over three million registered voters who were at least 65 years old in the 2018 General Election. If half of all these older voters—who under current Texas law do not need an excuse to vote a VBM ballot—were to cast VBM ballots in the upcoming presidential election, we would expect that at least 7,500 VBM ballots would be rejected due to lateness.

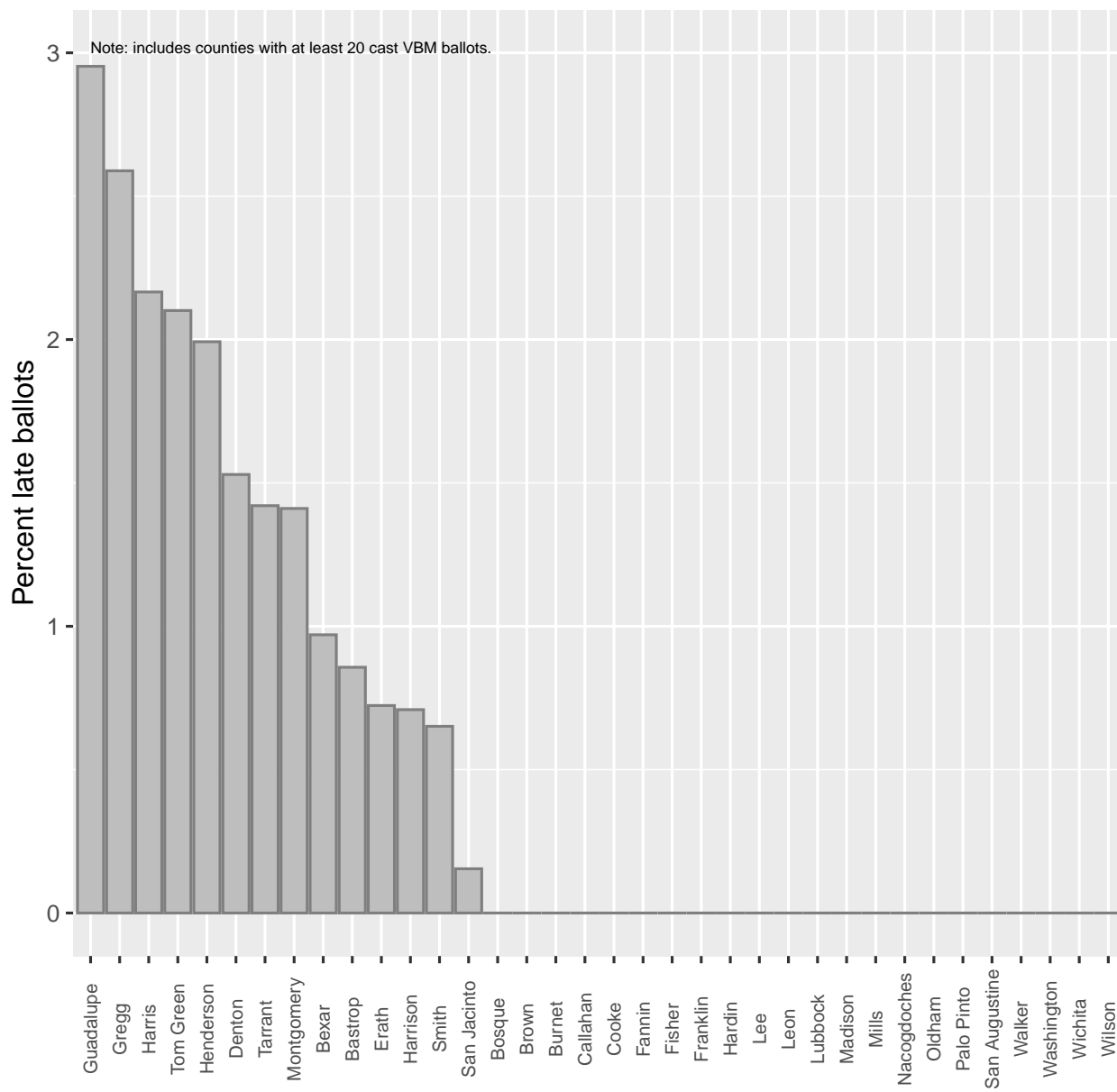
Table 4: Late domestic VBM ballots by day, 2018 General Election

Date	Late ballots	Cumulative count	Cumulative percent
November 8, 2018	256	256	7.37
November 9, 2018	919	1,175	33.83
November 10, 2018	681	1,856	53.44
November 11, 2018	290	2,146	61.79
November 12, 2018	61	2,207	63.55
November 13, 2018	644	2,851	82.09
November 14, 2018	99	2,950	84.94
November 15, 2018	115	3,065	88.25
November 16, 2018	82	3,147	90.61
November 17, 2018	0	3,147	90.61
November 18, 2018	1	3,148	90.64
November 19, 2018	136	3,284	94.56
November 20, 2018	50	3,334	96.00
November 21, 2018	25	3,359	96.72
November 22, 2018	0	3,359	96.72
November 23, 2018	0	3,359	96.72
November 24, 2018	0	3,359	96.72
November 25, 2018	0	3,359	96.72
November 26, 2018	44	3,403	97.98
November 27, 2018	13	3,416	98.36
November 28, 2018	25	3,441	99.08
November 29, 2018	10	3,451	99.37
November 30, 2018	11	3,462	99.68
December 1, 2018	1	3,463	99.71
December 2, 2018	0	3,463	99.71
December 3, 2018	4	3,467	99.83
December 4, 2018	3	3,470	99.91
December 6, 2018	3	3,473	100.00

IX.II Late VBM ballot rates across counties

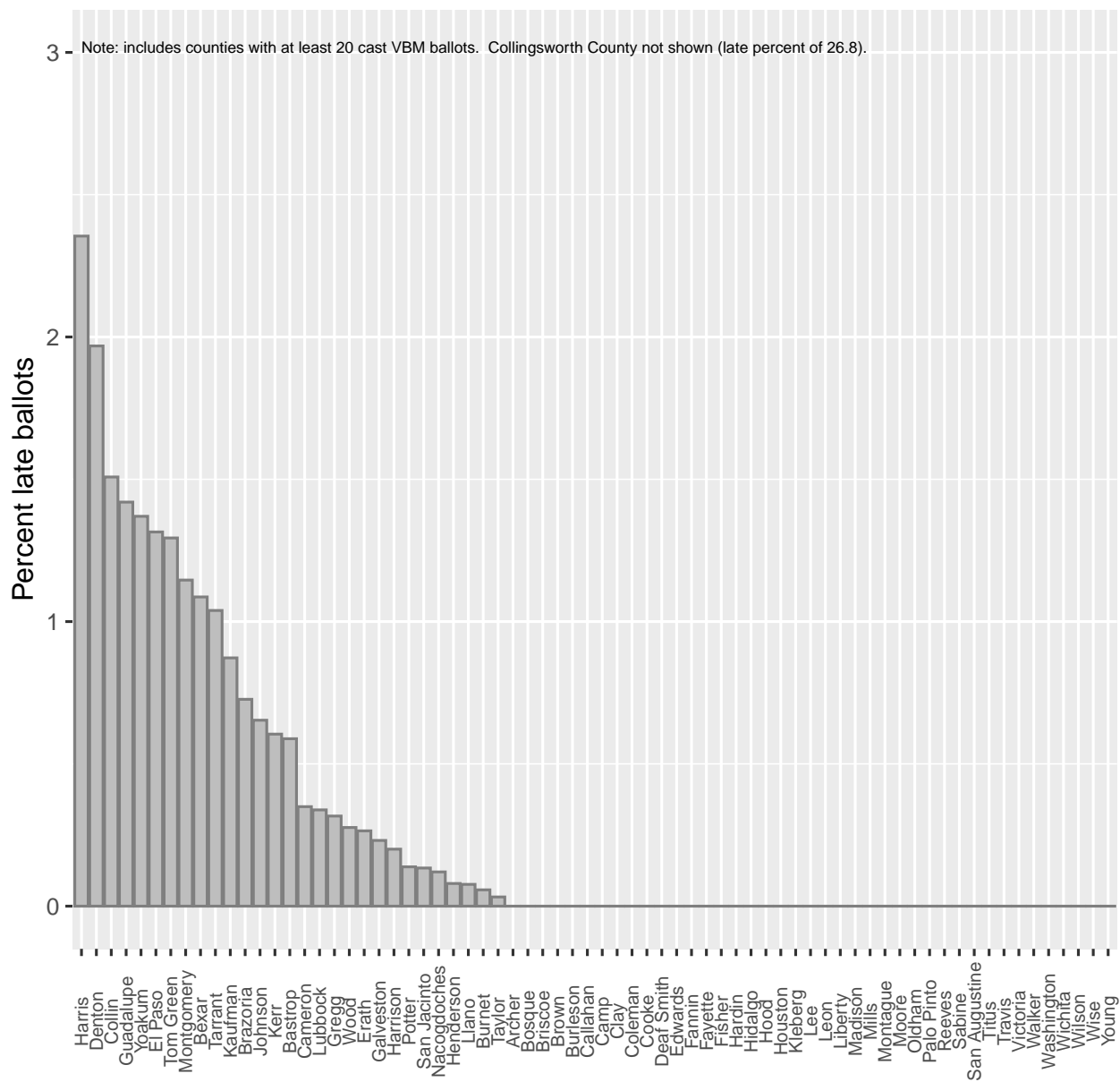
98 In Figures 1a and 1b, we display for the counties in which VBM ballot lateness can be ascertained the percentage of late VBM ballots in the 2016 and 2018 General Elections, respectively.

Figure 1: Late VBM ballot rates by county



(a) 2016 General Election

Figure 1: Late VBM ballot rates by county



(b) 2018 General Election

99 As the two figures display, there is considerable heterogeneity across counties—but also some consistency across the two elections—when it comes to the percent of VBM ballots that were late to arrive at county election offices. For example, in the 2016 General Election, the percent of late VBM ballots received by Guadalupe, Gregg, Harris, and Tom Green counties exceeded two percent. Two years later, in the 2018 General Election, over two percent of returned VBM ballots in Harris County arrived late, but Denton County and several others also had relatively high rates of VBM that were received after the state’s deadline.

IX.III Late VBM ballots, burdens on voters, and COVID-19

100 Under Texas law, VBM ballots received by local election officials later than 5:00 PM the day after Election Day, even if they are postmarked by Election Day, do not count as valid ballots. We have shown that the burdens associated with Texas’s VBM ballot deadline affect thousands of VBM voters in the state, but they do not affect all voters equally. Rather, VBM voters are disproportionately burdened by the Texas VBM ballot deadline in some counties more than others. We also have shown that the rate of rejected VBM ballots cast in Texas elections increased from the 2016 to the 2018 General Election.

101 We now consider how the burdens associated with VBM ballot lateness may be affected by the ongoing COVID-19 pandemic. We conclude that the pandemic will amplify the burdens associated with Texas’s VBM deadline.

102 One reason turns on the continued presence of COVID-19 in the United States and the concomitant need for social distancing that this entails. Another reason, also already noted, is that the CDC has predicted a second wave of coronavirus infections this upcoming winter.⁴³ There is thus no reason to expect that the need for social distancing will not be present during the upcoming July 2020 and November 2020 elections in Texas.

⁴³See fn. 20.

103 To disrupt in-person voting, an acute outbreak of coronavirus infections would not even have to infect intended voters *per se*. If fears of being in an enclosed space with others leads poll workers in Texas to stay away from in-person voting locations, in-person voting in the state will be compromised, leading to, among other problems, long lines at the polls. Indeed, in Texas's March primary elections, "Travis County election officials said a handful of polling locations did not open on time because poll workers were afraid to go to election sites as the coronavirus began spreading through the community."⁴⁴ Not only might this lead to a decrease in the number of available polling locations in Texas, but locations that remain open even in the face of a relative dearth of poll workers will presumably be unusually congested. This (potential voting lines and an increased infection risk from these lines) would impose costs on in-person voters. If they were permitted to do so, many of these registered voters in Texas would likely not vote in person, opting instead to cast a mail ballot.

104 The entire United States has been affected by the COVID-19 pandemic.⁴⁵ Where the next hot spot occurs seems difficult to forecast, and this puts a premium on voting method flexibility. In the last two general elections in Texas, more Texas voters cast in-person ballots than VBM ballots. Some of these individuals may intend to vote in-person in the state's July and November 2020 elections, but the pandemic or a sudden spike in local virus infections may make this such a plan untenable. These voters may, close to Election Day, feel that it is necessary to vote by mail to avoid

⁴⁴See "Texas Elections Are Going To Be Hard To Staff, So Voting Groups Plan To Recruit Poll Workers," available at <https://www.keranews.org/post/texas-elections-are-going-be-hard-staff-so-voting-groups-plan-recruit-poll-workers> (last accessed June 10, 2020). Again, Texas's presidential primary elections were held just before COVID-19 spread across the state. In other states that held in-person voting even though the virus was well established in various communities, hundreds of poll workers failed to show up for duty. In Wisconsin, *The New York Times* reported that, one week before the April 7, 2020 Spring Election, "[R]oughly 7,000 [poll workers] had said they would not work, and 111 precincts [in Wisconsin] did not have a single poll worker on the schedule, meaning that many locations could be forced to close." See "'I'm Scared': Wisconsin Election Puts Poll Workers at Risk of Virus," *The New York Times*, April 2, 2020, available at <https://www.nytimes.com/2020/04/02/us/politics/wisconsin-election-coronavirus.html> (last access June 2, 2020).

⁴⁵Every single state in the country has suffered deaths from COVID-19. See "Daily Updates of Totals by Week and State," *Centers for Disease Control and Prevention*, May 22, 2020, available at <https://www.cdc.gov/nchs/nvss/vsrr/covid19/index.htm> (last accessed May 22, 2020).

potential crowds during a county's early voting period or on Election Day, or if their local polling locations may be inoperable if poll workers do not, or cannot, staff these facilities. Individuals who decide relatively late to vote via VBM may be at risk of casting ballots that do not count because they arrive to the local election office after the state's deadline. This risk would be diminished were Texas to have a VBM ballot return deadline based solely on the envelope's postmark, and not also having to be received by the local election office one day after Election Day.

105 A second consequence of the COVID-19 pandemic is that many forms of social, political, and economic activity now have risks associated with them that previously were not considered serious. Voters wanting to deposit their VBM ballot at a Post Office might be deterred by a line of voters who also are dropping off their VBM return envelopes, and because of the postmark deadline, request the postal clerks to hand-stamp their return envelope with a postmark date. These voters not only face an additional time cost that waiting in line might portend, but also might risk their health due to the possibility of infection associated with congregating in an (indoor) Post Office with a group of individuals. Such voters wanting to deposit a VBM ballot at an election office might be concerned about the health risks that traveling outside of their residence might entail. In a pandemic, mailing ballots and traveling might become actions that require considered forethought. If Texas had a VBM ballot deadline that was based solely on an Election Day postmark date, it would reduce the pressure for VBM voters to mail their ballots well before Election Day. If voters feel that a trip to a Post Office or a local election office one week before Election Day is too risky on account of crowds, voters can wait until another day. Under current Texas law, though, this decision would be risky, as their ballot could arrive more than one day after Election Day.

106 One might respond to this argument by positing that voters could resolve this dilemma by requesting VBM ballots a month or more in advance of either the upcoming July or November 2020 elections. Of course, voters who request a VBM ballot cannot control how quickly Texas local election officials respond to their VBM ballot requests. Once a voter makes a request to a local election official, the voter must wait for the office to send out a ballot and then must wait for the

Postal Service to deliver the ballot. These delays are time costs, and may lead to some voters not being able to cast a valid vote in the election.

107 Not only can VBM voters in Texas not control how quickly local election officials respond to VBM requests, they also cannot control how long it takes the Postal Service to bring them their ballots and how long it takes the Postal Service to return completed ballots. This was recently made evident in Ohio, where at least 300 ballots in Butler County languished at least two weeks in the custody of the Postal Service before being delivered after May 8, 2020, too late to be counted in Ohio's primary election.⁴⁶

108 The Postal Service recommends allowing a week for ballot movement in each direction (to the voter and then to a local election official).⁴⁷ This means that a voter should allow for at least two weeks of mailing time for a VBM request, and this assumes a near instantaneous response from a local election official to a VBM ballot request.

109 Moreover, insisting that VBM voters vote well before Election Day disregards the fact that election campaigns are dynamic. A voter will maximize the information that he or she has on candidates running for office the closer she votes to Election Day. This, of course, is an argument for in-person, Election Day voting, but that may not be a wise method of voting if social distancing remains important in July 2020 and November 2020, when Texas voters next go to the polls.

110 Lastly, when it comes to late ballots, a postmark-only deadline provides voters with a greater degree of individual control over VBM ballot returns than the present deadline, which is based on actual ballot receipt by a local election official. A voter who is concerned about the extent

⁴⁶See "More than 300 Butler County ballots delivered late won't count in Ohio primary," *Cincinnati Enquirer*, May 12, 2020, available at (last accessed May 31, 2020). The Ohio Secretary of State was aware of Postal Service delays in the run-up to the state's primary, as evidenced by a letter from Ohio Secretary of State Frank LaRose to the state's congressional delegation. See "Conflicting Information from the USPS related to Election Mail," April 23, 2020, *Ohio Secretary of State*, available at <https://www.ohiosos.gov/globalassets/media-center/news/2020/2020-04-24.pdf> (last accessed May 26, 2020).

⁴⁷See fn. 16.

to which the COVID-19 pandemic has slowed down postal delivery times, or who is concerned that visiting a local election official office or polling location to drop off a ballot poses an infection risk, need not fear the effect of this on his or her ability vote by mail as long as ballots postmarked by Election Day are acceptable.

X Postage-paid VBM return carrier envelopes in Texas

111 When Texas election officials send VBM ballots to registered voters who have requested them, they include return carrier envelopes. To the extent that we can determine, Texas counties generally do not include “pre-paid” postage for these return ballots.

112 Existing research on the effect of including pre-paid postage with VBM ballots suggests that voters receiving postage-paid envelopes return their ballots at higher rates than otherwise. For example, in King County, Washington, voter turnout in a special election on February 14, 2017, jumped compared to previous special elections when VBM ballots were accompanied by postage-paid envelopes. King County is by far the most populous county in Washington, having a population of 2,252,782 as of July 2019 compared to Washington’s total population of 7,614,893.⁴⁸ According to officials with King County, “One objective of the pre-paid postage test was to see if more voters returned their ballots than in previous special elections. King County Elections projected 30 percent voter turnout based on previous turnout. However, actual turnout was higher, at 37 percent in Maple Valley, and 40 percent in the Shoreline School District.”⁴⁹

113 Beyond the monetary cost of postage *per se*, procuring postage can impose a time cost (the amount of time required to do this), transportation costs (the cost of traveling from one’s

⁴⁸For these figures, see “QuickFacts Washgton,” *United States Census Bureau*, available at <https://www.census.gov/quickfacts/WA> (last accessed May 26, 2020) and “QuickFacts King County, Washington,” *United States Census Bureau*, available at <https://www.census.gov/quickfacts/kingcountywashington> (last accessed May 26, 2020).

⁴⁹See “King County Successfully Pilots Pre-paid Postage: Voter Turnout Exceeds Projections,” *King County*, February 24, 2017, available at <https://kingcounty.gov/depts/elections/about-us/newsroom/news-releases/2017/february/24-pilot-results.aspx> (last accessed May 26, 2020).

residence to a desired location to purchase postage), and a health risk (due to potential exposure to the coronavirus that traveling can entail). The magnitudes of these costs, all of which are costs of voting by mail, depend on a voter's individual circumstances and physical condition.

114 While postage is a cost of voting by mail for VBM voters in Texas, the COVID-19 pandemic will likely increase the cost of voting by mail. This is because, during a pandemic, leaving one's residence to procure postage is a health risk. This would not apply to individuals who maintain a supply of postage at home. As such, the cost of voting associated with the COVID-19 pandemic does not fall uniformly on all VBM voters in Texas. Rather, it falls disproportionately on those who are most vulnerable to COVID-19.

115 Per the CDC, having a serious heart condition raises the risk that an individual who is infected with COVID-19 develops severe illness. A VBM voter in Texas with a heart condition who has to travel to a Post Office or other location to purchase postage for a return VBM envelope will incur this risk. According to the National Center for Health Statistics, in 2018 Texas had the second greatest number of deaths from heart disease among all states.⁵⁰

116 Furthermore, the CDC reports that patients with underlying conditions were 12 times more likely to die from COVID-19, and that the virus has had a disproportionate impact on people with underlying medical conditions and on minority groups.⁵¹

117 The CDC reports as well that, as of 2015, Texas's rate of diabetes per 100,000 adults is 11.2. This rate is greater than the overall United States rate of 9.1 adults per 100,000. Diabetes is

⁵⁰See "Heart Disease Mortality by State," *National Center for Health Statistics*, available at https://www.cdc.gov/nchs/pressroom/sosmap/heart_disease_mortality/heart_disease.htm (last accessed May 17, 2020).

⁵¹See "Patients with underlying conditions were 12 times as likely to die of covid-19 as otherwise healthy people, CDC finds," available at <https://www.washingtonpost.com/health/2020/06/15/patients-with-underlying-conditions-were-12-times-more-likely-die-covid-19-than-otherwise-healthy-p/> (last accessed June 17, 2020).

a risk factor for COVID-19.⁵²

118 In addition, the CDC reports that, as of 2018, 34.8 of Texas residents are obese.⁵³ Per the CDC, obesity is a risk factor for COVID-19.

119 The COVID-19 pandemic has caused massive job losses in the United States.⁵⁴ Economic pressures will exacerbate the cost of VBM voting in Texas because registered voters wanting to cast a VBM ballot must purchase postage before they mail their ballot back to local election offices. Pre-pandemic the cost of postage for VBM voters was a cost of voting; job losses caused by the coronavirus, however, will make this cost felt more heavily.

120 The United States Census Bureau reports that 14.9 percent of Texans live below the poverty line, and this is a pre-coronavirus figure.⁵⁵ Moreover, state unemployment benefits in Texas are limited to no more than \$521 / week.⁵⁶ For an individual under financial stress due to the COVID-19 pandemic, the aggregate financial costs of voting by mail, in the absence of postage paid envelopes, could be formidable.

121 In conclusion, Texas does not supply pre-paid postage when local election officials send VBM ballots to voters who request them. For VBM voters, then, the cost of postage is literally a cost of voting. Procuring postage incurs this cost as well as the time costs associated with

⁵²See “Diabetes Report Card,” *Division of Diabetes Translation, National Center for Chronic Disease Prevention and Health Promotion, Centers for Disease Control and Prevention*, 2017, available at <https://www.cdc.gov/diabetes/pdfs/library/diabetesreportcard2017-508.pdf> (last accessed June 12, 2020).

⁵³See “Nutrition, Physical Activity, and Obesity: Data, Trends and Maps,” *Centers for Disease Control and Prevention*, available at <https://www.cdc.gov/nccdphp/dnpao/data-trends-maps/index.html> (last accessed June 12, 2020).

⁵⁴See, for example, “‘Rolling Shock’ as Job Losses Mount Even With Reopenings,” *The New York Times*, May 14, 2020, available at <https://www.nytimes.com/2020/05/14/business/economy/coronavirus-unemployment-claims.html> (last accessed June 12, 2020).

⁵⁵See “Quickfacts Texas,” *United States Census Bureau*, available at <https://www.census.gov/quickfacts/fact/table/TX/IPE120218> (last accessed June 12, 2020).

⁵⁶See “Unemployment Benefits Comparison by State,” *FileUnemployment.org*, April 30, 2020, available at <https://fileunemployment.org/unemployment-benefits/unemployment-benefits-comparison-by-state/> (last accessed June 12, 2020).

getting stamps and, in a pandemic, the health risks that stem from this activity. These costs will disproportionately burden individuals who are at health risk in the COVID-19 pandemic, as well as individuals whose economic situation is precarious.

XI Third-party assistance to VBM voters in Texas

122 In this section of the report we consider the burdens associated with the fact that Texas Election Code, at present with few exceptions, does not allow paid third-party assistance in the collection of VBM ballots.⁵⁷ In this section, we use the term *voter assistance* generically to mean, paid and trained third-party assistance to eligible VBM voters in Texas.

123 We have already shown that in recent Texas statewide elections, thousands of VBM voters have their VBM ballots arrive late at local election offices. These ballots are not counted. Many of these individuals who cast ballots that arrive too late to be counted might benefit from third-party voting assistance, even if the COVID-19 pandemic were not present, and would especially benefit given the challenges of voting during a pandemic.

124 Voter assistance could manifest itself in individuals who, one, collect VBM ballots from eligible Texas voters with the intent to deliver them on-time to SOE offices and, two, in the process of collecting such ballots remind the voters who cast them that they need to sign their ballots carefully. Here we are using “sign their VBM ballots” as shorthand for signing the certificates that accompany Texas VBM ballots. For ballot secrecy reasons, Texas voters do not sign their actual VBM ballots. VBM ballot without signatures, or with signatures that do not match official signatures on file with a local election official, do not count unless cured before an official ballot-cure deadline.

⁵⁷See Texas Election Code, “COMPENSATION FOR CARRIER ENVELOPE ACTION PROHIBITED.” TITLE 7 §86.0052(f), available at <https://statutes.capitol.texas.gov/Docs/EL/htm/EL.86.htm> (last accessed June 14, 2020) on the prohibition in Texas of paid third-party VBM ballot collection. “A person commits an offense if the person knowingly possesses an official ballot or official carrier envelope provided under this code to another.”

XI.I Third-party assistance and late VBM ballots

125 One task that a trained, third-party assistant could accomplish is ballot collection and delivery. An assistant could visit VBM voters at their residence, pick up their sealed VBM carrier return envelope, and bring it to a Post Office or a local election office.

126 If Texas were to adopt a postmark-based deadline for receipt of VBM ballots, trained third-party assistants could bring ballots to Post Offices on Election Day or beforehand, diminishing the rates of late VBM ballots that we documented in the previous section of this report (e.g., Table 2 on p. 31). Alternatively, if permitted, trained third-party assistants could bring VBM ballots directly to local election offices, bypassing the Postal Service entirely.

127 Regardless of what form of ballot delivery a trained, third-party assistant adopted, such assistants would be particularly beneficial to VBM voters who are vulnerable to COVID-19. This vulnerability may lead these individuals to hesitate to drop off VBM ballots, either at Post Offices or local election offices, raising the risks of late and uncounted VBM ballots. VBM voters would benefit from trained third-party voters assistants whose focus is on ensuring that VBM ballots are returned on time so that they are counted.

XI.II Third-party assistance and rejected VBM ballots

128 A second way that trained, third-party voter assistants could help VBM voters in Texas is via guidance on Texas's VBM return carrier envelope signature rules. The extent that voter assistance can alleviate the burdens on Texas's VBM voters associated with missing and mismatched signatures depends on how often, historically, VBM voters in the state have mailed in VBM ballots with signature problems. We turn to this issue now.

129 As discussed above, local election officials across Texas do not rely on a standardized code for VBM ballots that they flag for having a signature mismatch that sets those ballots apart from VBM ballots flagged for a missing signature or other reasons. Consequently, there are many

inconsistencies in the official data sources that we use to create Table 10, found in Appendix B of our report. Appendix B describes how we map county codes into four categories of ballots analyzed here: late ballots, ballots rejected because of a missing signature, ballots rejected because of a mismatched signature, and ballots rejected for other reasons.

130 Trained third-party voting assistance could ameliorate problems with the thousands of rejected VBM ballots in the 2016 and 2018 General Elections, as documented in Table 5. In the November 2016 election, over 1,500 voters had their VBM ballots rejected in the 74 counties in our dataset, or 0.47 percent of all VBM ballots cast in those counties. In the November 2018 election, over 2,600 voters had their VBM ballots rejected in the 74 counties in our dataset, or 0.76 percent of all VBM ballots cast in those counties. A trained third-party assistant could remind voters that that must sign their own return envelopes.

Table 5: Rejected VBM ballots

Election	VBM ballots	Rejected	Rejected percent
2016	326,490	1,542	0.47
2018	344,143	2,631	0.76

XI.III Voter assistance and the exigencies of COVID-19

131 In light of the COVID-19 pandemic, VBM voters in Texas could benefit from a voter assistance program wherein trained third-party collectors could ensure that VBM ballots are on-time and could remind VBM voters to sign their ballots. All Texas VBM voters could benefit from such an assistance program. This is because these groups of voters have disproportionately high rates of casting VBM ballots that do not count, either because they are received late by a local election official or because they have signature problems.

132 An individual providing trained third-party assistance in VBM ballot collection in Texas can be tasked with ensuring that VBM ballots are delivered on-time, either to a Post Office or to a local election office, and informing voters, up front and prior to ballot submission, that they

must sign their VBM ballots. This will presumably have the effect of driving down the number of submitted but uncounted VBM ballots.

XII Rejected VBM ballots due to mismatched signatures

133 Texas Election Code requires county election officials to verify if a voter’s signature on a VBM return carrier envelope matches the voter’s signature on an associated VBM application. Since the state does not allow VBM voters to “cure” their signature on a VBM return carrier envelope, the burdens on VBM voters associated with Texas’s signature match requirement can lead to voters not having their ballots count.

134 In the two general elections examined in this report, hundreds of VBM ballots in the 74 counties studied were rejected due to mismatched signatures, at least in the eyes of local election officials. Ballots with mismatched signatures in this way are not counted.

135 Presumably, many rejected VBM ballots due to mismatched signatures in both elections could have been corrected by voters if they were permitted to cure their signature on their rejected VBM ballot, a process that is permitted in other states.

136 Table 6 shows that in the 74 counties in our dataset, 0.12 percent of the 326,490 VBM ballots cast in the 2016 General Election were rejected due to a signature mismatch. In the 2018 General Election, as Table 6 details, 0.22 percent of the 344,143 VBM ballots cast in the 74 counties in our dataset were rejected due to a signature mismatch, as determined by county election officials.

Table 6: Rejected VBM ballots due to signature match

Election	VBM ballots	Rejected, signature match	Rejected percent
2016	326,490	391	0.12
2018	344,143	752	0.22

137 If the Texas Election Code was changed to allow a VBM signature cure process, eligible voters would have an opportunity to correct their mismatched signature on their VBM return carrier envelope (as well as those VBM voters who neglected to sign their return envelope).

138 If Texas no longer rejected ballots on the basis of signature mismatch, or provided VBM voters with an opportunity to cure their ballots that were rejected due to signature issues, burdens on voters casting VBM ballots would be lessened, leading to more eligible VBM voters having their votes counted.

XIII The effect of VBM experience on late and rejected VBM ballots: evidence from Harris County

139 Due to health concerns over COVID-19, there is little doubt that, even with the current restrictions on voting by mail in Texas, there will be an influx of voters who are new to VBM voting in the state's upcoming elections. As we show here, new VBM voters—even those 65 and older—have more difficulty with the VBM voting process than experienced voters. These individuals will be disproportionately burdened by a switch to VBM compared to experienced VBM voters.

140 For voters, who in the absence of a pandemic, would normally vote in-person in Texas's upcoming elections, a transition to VBM voting will particularly face information costs. Namely, new VBM voters will have to learn *how* to vote by mail.

141 Drawing on data made available from Harris County, we assess the effect of being a new VBM voter on the likelihood of having one's VBM ballot accepted, versus received late by an elections official, or being rejected for other reasons (including a signature mismatch).

142 We limit our attention to Harris County voters aged 65 and older as of the 2016 General Election and who cast a VBM ballot in the 2018 General Election. We divide these 2018 VBM

voters into two groups: those who cast a valid ('Okay') VBM ballot in the 2016 General Election and all others. This latter group includes individuals who did not vote VBM in 2016 and those who cast late or rejected VBM ballots in 2016.⁵⁸

143 Table 7 incorporates in its top row ('Okay') the 53,911 voters in Harris County who cast valid VBM ballots in the 2016 General Election. The row describes the percentage (0.24 percent) of VBM ballots that were late and those (0.25 percent) that were rejected for other reasons, including a mismatched signature, in the 2018 General Election. The second row of Table 7 ('Not Okay') does the same for the 27,812 voters in Harris County who did not cast a valid VBM ballot in the 2016 General Election and who nonetheless voted VBM in 2018.

Table 7: Harris County and experience with VBM voting

2016 VBM status	Total	Late percent	Rejected percent	'Okay' percent
'Okay'	53,911	0.24	0.25	99.50
Not 'Okay'	27,812	0.42	0.51	99.07

144 As is clear from the table, VBM voters in the 2018 General Election who did not cast a valid VBM ballot in the 2016 General Election (that is, 'Not Okay') were roughly 1.75 times more likely to have their VBM ballot in 2018 arrive late. This is ratio of 0.42 to 0.24. Similarly, these individuals were roughly twice as likely to have their VBM ballots rejected in 2018. This follows from the fact that the ratio of 0.51 to 0.25 is approximately two.

145 Table 7 shows that voters without VBM experience are more likely to cast VBM that are either late or are otherwise rejected. This means that voters new to VBM voting are disproportionately likely to cast VBM ballots that ultimately do not count.

⁵⁸The Harris County data that was generated by the public records requests discussed earlier in this report (p. 60) include explicit codes that describe the dispositions of the 2016 General and 2018 General Election VBM ballots cast in the county. There were 103,390 and 100,299 of these, respectively. We ignore the small number of ballots labeled "Version 1 Database" (86 ballots) or "Jail Address In Reg Add" (ten ballots). The other vast majority of Harris County ballots are labeled either "Okay," "Rejected, no signature," "Rejected, signature match," "Rejected, other," or "Ballot Returned After Election."

146 Our analysis of Harris County and the relationship between the VBM voting experience and the likelihood of a voter casting a VBM ballot that counts is conservative insofar as it is restricted to only those voters in Harris County who were 65 or older in the 2016 General Election and thus did not need an excuse to vote a VBM ballot in the 2018 General Election.

XIV Projecting the number of late and rejected ballots in Texas's 2020 General Election

147 We now provide two scenarios for the number of VBM ballots that might be expected to be cast by Texas voters 65 years and older in the upcoming 2020 November General Election. As mentioned previously, members of this age group of registered voters do not need an excuse to request and cast VBM ballots. As such, their ability to vote a VBM ballot in Texas is similar to voters of all ages in Florida and Georgia, two states that do not require an excuse for voters to request or cast a VBM ballot and two states that held primary elections as the COVID-19 outbreak was affecting their states.

148 The two scenarios are listed in Table 8 in ascending order of the percent of VBM voting in a hypothetical 2020 General Election in Texas.⁵⁹

149 We begin by estimating VBM turnout by Texas voters 65 and older in the November 2020 General Election by using Florida's VBM turnout in its March 17, 2020 presidential primary. If

⁵⁹In Florida's March 2020 presidential primary, VBM ballots comprised 46.4 percent of all ballots cast in the election. For more on Florida, see fn. 5. Regarding Georgia, the VBM rate in its June 2020 primary was approximately 76.8 percent. This is based on a preliminary turnout figure of 2,010,851 drawn from "Georgia Democrats set new primary turnout record, outpacing GOP voters," *Atlanta Journal-Constitution*, June 15, 2020, available at <https://www.ajc.com/blog/politics/georgia-democrats-set-new-primary-turnout-record-outpacing-gop-voters/fotxE4Udba0eQ6QvDBZ8M> (last accessed June 20, 2020), as well as from "absentee" ballot counts from the Georgia voter history file "35212.TXT" for the June 2020 primary, available at <https://elections.sos.ga.gov/Elections/voterhistory.do>, and excluding "IN PERSON" codes in the "Ballot Style" field in the Georgia voter absentee file "35212.zip" for the June 2020 primary, available at <https://elections.sos.ga.gov/Elections/voterabsenteefile.do> (last accessed June 20, 2020).

Table 8: Projections for VBM voting in Texas

Baseline	VBM Percent	Texas VBM	Late ballots	Rejected ballots
Florida	46.4	1,002,056	2,734	3,719
Georgia	76.8	1,658,408	4,525	6,155

we apply a percentage of 46.4 to Texas's approximately 2.16 million voters who are 65 and older and who cast ballots (of any kind) in the state's 2018 General Election, we would expect over 1.0 million VBM ballots to be cast by members of this age group. Based on Texas's late VBM ballot rate in the state's 2018 General Election, we would expect approximately 2,740 VBM ballots to be cast by voters aged 65 and older that would not be counted because they arrived after the state's VBM ballot deadline. If we further applied Texas's rejected VBM ballot rate in the state's 2018 General Election, we would expect approximately 3,702 VBM ballots cast by voters aged 65 and over to be rejected.

150 A second scenario draws on data from Georgia in its recent June primary election. According to data provided by the Georgia Secretary of State, over 1.2 million Georgia voters cast VBM ballots in the June election, or 76.8 percent of the total votes cast in the election.⁶⁰

151 As with the Florida scenario above, if we apply 76.8 percent to Texas's approximately 2.16 million 65 and older voters who cast ballots in the state's 2018 General Election, we would expect roughly 1.65 million VBM ballots to be cast by the state's oldest group of voters in the November 2020 election. If we take these 1.65 million VBM ballots cast and apply Texas's VBM late ballot rate from its 2018 General Election, we would expect approximately 4,535 VBM ballots cast by voters aged 65 and older not to count because they arrive after the state's VBM ballot deadline. Similarly, we would expect a total of 6,127 VBM ballots cast by voters aged 65 and over to be rejected.

⁶⁰This figure excludes voters in the state who cast in-person "absentee" ballots. For more on Georgia, see fn. 59.

152 Of course, it is impossible to know exactly how many Texas voters aged 65 and over will cast VBM ballots in November 2020. However, there is every indication—both from within Texas and from other states that have held elections as COVID-19 has spread—that VBM turnout in the upcoming 2020 General Election in Texas will be greater than what would have been previously expected, and quite possibly substantially greater. Table 8 provides a range of estimates of total VBM ballots, as well as late and rejected—and thus uncounted—VBM ballots in the state’s upcoming presidential election, based solely on projections of 65 and older voters casting VBM ballots.

XV Conclusion

153 This report has considered four aspects of Texas’s current vote-by-mail (VBM) system. In particular, it focuses on the state’s deadline that VBM ballots must be received by local election officials, the state’s lack of pre-paid ballot return carrier envelopes, the state’s prohibitions on paid, trained third-party voter assistants, and the state’s signature match requirement.

154 Under Texas law, millions of registered voters are not permitted to request or cast a VBM ballot because an excuse is required. Millions more Texans who are eligible to vote a mail ballot are burdened by the severe restrictions the state places on VBM ballots. Individuals must supply postage to return their VBM ballots, paying the financial cost of postage or spending time procuring postage, and, in a pandemic, face health risks by engaging in the public when purchasing postage.

155 Eligible voters wanting to vote by mail are prohibited from receiving third-party assistance to request their VBM ballot, as well as to help ensure that their VBM ballot is properly signed and returned to the local election official in a timely fashion. Because of the state’s deadline to determine whether a VBM ballot is on-time, thousands of voters who cast a VBM ballot in advance of an election, to no fault of their own, arrive late at local election offices, and thus are not counted.

156 If, in its upcoming July and November 2020 elections, Texas maintains its deadline that VBM ballots must be received; if in its upcoming elections Texas continues to not provide pre-paid postage on return VBM carrier envelopes; if in its upcoming elections Texas maintains its prohibitions on third-party assistance; and if in its upcoming elections Texas maintains its VBM signature match requirement, potentially millions of eligible registered voters in Texas will be thwarted from being able to vote by mail, or, if they are able to request and cast a VBM ballot, will not have their VBM ballot count.

157 If the COVID-19 pandemic continues raging across the state in these upcoming elections, and if Texas experiences the expected surge in the demand by voters to cast mail ballots, as we have seen in other states, millions of eligible registered voters in Texas will be forced to risk their health by voting in person because they are not eligible to request or cast a VBM ballot, and those who do, risk having their VBM ballot rejected because it is late or because there is a problem with the voter's signature on the VBM return carrier envelope.

158 We reserve the right to continue to supplement our declaration in light of additional facts, data, and testimony.

References

- Brennan, Geoffrey and Alan Hamlin. 1998. “Expressive voting and electoral equilibrium.” *Public choice* 95(1-2):149–175.
- Brians, Craig L. and Bernard Grofman. 2001. “Election Day Registration’s Effect on U.S. Voter Turnout.” *Social Science Quarterly* 82:170–83.
- Downs, Anthony. 1957. *An Economic Theory of Democracy*. New York: Harper and Row.
- Drinkwater, Stephen and Colin Jennings. 2007. “Who are the expressive voters?” *Public Choice* 132(1-2):179–189.
- Gronke, Paul. 2012. Early Voting: The Quiet Revolution in American Elections. In *Law and Election Politics: The Rules of the Game*, ed. Matthew Streb. New York, NY: Routledge New York pp. 134–48.
- Herron, Michael C. and Daniel A. Smith. 2015. “Precinct Closing Times in Florida During the 2012 General Election.” *Election Law Journal* 14(3):220–238.
- Kaplan, Ethan and Haishan Yuan. 2020. “Early Voting Laws, Voter Turnout, and Partisan Vote Composition: Evidence from Ohio.” *American Economic Journal: Applied Economics* 12(1):32–60.
- Knack, Stephen. 2001. “Election-day Registration The Second Wave.” *American Politics Research* 29(1):65–78.
- Knack, Stephen and James White. 2000. “Election-day registration and turnout inequality.” *Political Behavior* 22(1):29–44.
- Leighley, Jan E. and Jonathan Nagler. 2013. *Who Votes Now?: Demographics, Issues, Inequality, and Turnout in the United States*. Princeton University Press.
- Li, Quan, Michael J. Pomante II and Scot Schraufnagel. 2018. “Cost of Voting in the American States.” *Election Law Journal* 17(3):234–247.
- Mukherjee, Elora. 2009. “Abolishing the time tax on voting.” *Notre Dame L. Rev.* 85:177.
- Neiheisel, Jacob R and Rich Horner. 2019. “Voter Identification Requirements and Aggregate Turnout in the US: How Campaigns Offset the Costs of Turning Out When Voting Is Made

More Difficult.” *Election Law Journal: Rules, Politics, and Policy* 18(3):227–242.

Riker, William H and Peter C Ordeshook. 1968. “A theory of the calculus of voting.” *American Political Science Review* 62(1):25–42.

Rosenstone, Steven J. and Raymond E. Wolfinger. 1978. “The effect of registration laws on voter turnout.” *American Political Science Review* 72(1):22–45.

Rosenstone, Steven and John M. Hansen. 1993. *Mobilization, Participation and Democracy in America*. New York: MacMillan Publishing.

Tokaji, Daniel P and Ruth Colker. 2007. “Absentee voting by people with disabilities: Promoting access and integrity.” *McGeorge L. Rev.* 38:1015–1046.

Wolfinger, Raymond E. and Steven J. Rosenstone. 1980. *Who Votes?* New Haven, CT: Yale University Press.

A Texas counties that supplied data for this report

159 As noted in the body of this report, Plaintiffs' Counsel made public records requests to every Texas county. Table 9 lists alphabetically by county name the 74 counties from which we have data as well as the number of observations from each county in the three elections covered in this report.

160 Roughly speaking, each observation in Table 9 reflects an instance of a VBM ballot being issued to a registered voter and then possibly returned. However, this is not exclusively the case as some Texas counties included canceled VBM ballot requests in their responses to the aforementioned public records requests. Some counties also included records that may connote duplicate VBM requests that did not lead to an actual ballot being sent to a registered Texas voter.

161 Any county that does not appear in Table 9 is not analyzed in this report.

Table 9: Observations per county for the 2016 and 2018 General Elections

County	2016	2018
Archer	0	209
Bastrop	1,559	1,674
Bexar	44,070	44,478
Bosque	708	679
Bowie	0	2,622
Brazoria	0	6,400
Briscoe	0	83
Brown	1,239	1,068
Burleson	0	6
Burnet	1,855	1,906
Callahan	461	425
Cameron	0	68
Camp	0	374
Clay	0	1
Coleman	0	272
Collin	0	17,476
Collingsworth	0	26
Cooke	544	634
Deaf Smith	0	364
Denton	13,972	15,724
Edwards	0	1
El Paso	0	227
Erath	771	785
Fannin	645	12
Fayette	0	1,019
Fisher	190	186
Franklin	256	6,845
Galveston	0	9,725
Gregg	4,000	3,794
Guadalupe	3,097	3,259
Hardin	991	1,395
Harris	103,390	100,299
Harrison	1,558	1,682
Henderson	62	2,543
Hidalgo	0	7,102
Hood	0	14
Houston	0	25
Johnson	0	59
Kaufman	0	2,015
Kerr	0	22
Kleberg	0	713
Lee	361	417

Leon	441	652
Liberty	0	2
Llano	0	1
Lubbock	6,508	4,985
Madison	330	332
Mills	197	192
Montague	0	555
Montgomery	14,423	16,496
Moore	0	157
Nacogdoches	1,312	1,689
Oldham	52	48
Palo Pinto	768	868
Potter	0	15
Reeves	0	2
Sabine	0	454
San Augustine	246	246
San Jacinto	6	4
Smith	6,388	0
Tarrant	40,640	40,695
Taylor	0	13
Titus	0	3
Tom Green	3,585	3,459
Travis	0	61
Victoria	0	9
Walker	1,115	25
Washington	851	1,260
Wichita	2,977	2,760
Wilson	933	1,262
Wise	0	1,207
Wood	0	1,767
Yoakum	0	6
Young	0	483
Total	260,501	316,336

B County ballot codes

162 The files we received from 74 counties contain a variety of ballot return codes. These codes are associated with the observations that are listed in Table 9.

163 Table 10 describes how we map county codes into four categories of VBM ballots analyzed in this report: late ballots, ballots rejected because of a missing signature, ballots rejected because of a mismatched signature, and ballots rejected for other reasons. To the extent that there appear to be typographical errors in Table 10, these entries were taken directly from county-supplied files. Here, in the interests of transparency, we supply the exact terms that we found in the county files.

Table 10: Ballot code dictionary

Return status code	Text in county VBM report
Late ballot	AX - Absentee Ballot Rejected - Late LT Late Late Ballot NT Received after deadline Rejected - Received Afetr the Deadline Rejected - Received After Deadline Rejected - Received After the Deadline Rejected Late arrival Rejected- Received After the Deadline
Rejected, no signature	AX - Absentee Ballot Rejected - No Signature or Mark AX - Absentee Ballot Rejected - No Signautre or Mark CARRIER ENVELOPE NOT SIGN CARRIER NOT SIGNED FAILED TO SIGN CARRIER ENVELOPE Failed to sign the application NB NM NO CARRIER ENV./NO SIGNATURE NO SIGNATURE NS No Signature R1 RJ-No Signature RJ-No signature Rejected - No Signature
Rejected, signature match	AX - Absentee Ballot Rejected - Non-Matching Application and Envelope Signatures NC NE No matching signature on envelope & application QS QUESTIONED SIGNATURE R2 RJ-Signature didn't match RJ-Signatures didn't match RJ-signatures didn't match Rejected - Signature not a Match Rejected Ballot- No matching signatures on envelope & Application Rejected Signature SIGNATURE DID NOT MATCH SIGNATURE MISMATCH SIGNATURES DIDN'T MATCH Signature didnt match
Rejected, other	AT B2 B3 BB BB - Ballot back Ballot Rejected by Board Duplicate ID REQUIRED FOR VOTER BUT NOT INCLUDED IR MA NI NO BALLOT ENCLOSED NO STATEMENT OF RESIDENCE No statement of residence OE R3 RJ RJ-2 Ballots in the same carrier envelope RJ-No Statement of Residence RJ-No reason recorded RJ-No statement of Residence Rejected Rejected Reason SOR wasn't returned SR STATEMENT OF RESIDENCE WAS REQUIRED BUT NOT INCLUDED BY THE VOTER TWO BALLOTS ENCLOSED IN ONE ENVELOPE TWO BALLOTS/ONE SIGNATURE application-not over 65 and did not list address outside of county
Okay	AV - Absentee Ballot Accepted Accepted FR OK OKAY

C VBM ballots cast across Texas counties that can be evaluated for lateness

164 Table 11 lists by county and general election the number of VBM ballots that can be evaluated for lateness. We discuss on p. 25 of the body of the report how we assess whether a given VBM ballot was late.

Table 11: Observations for which ballot lateness can be assessed, by county and for the 2016 and 2018 General Elections

County	2016	2018
Archer	0	209
Bastrop	1,559	1,674
Bexar	44,070	44,478
Bosque	708	679
Brazoria	0	6,400
Briscoe	0	83
Brown	1,239	1,068
Burleson	0	6
Burnet	1,855	1,906
Callahan	461	425
Cameron	0	68
Camp	0	374
Clay	0	1
Coleman	0	272
Collin	0	17,476
Collingsworth	0	26
Cooke	544	634
Deaf Smith	0	364
Denton	13,972	15,724
Edwards	0	1
El Paso	0	227
Erath	771	785
Fannin	645	12
Fayette	0	1,019
Fisher	190	186
Franklin	256	6,845
Galveston	0	9,725
Gregg	4,000	3,794
Guadalupe	3,097	3,259
Hardin	991	1,395
Harris	103,390	100,299
Harrison	1,558	1,682
Henderson	62	2,543
Hidalgo	0	7,102
Hood	0	14
Houston	0	25
Johnson	0	59
Kaufman	0	2,015
Kerr	0	22
Kleberg	0	713
Lee	361	417

Leon	441	652
Liberty	0	2
Llano	0	1
Lubbock	6,508	4,985
Madison	330	332
Mills	197	192
Montague	0	555
Montgomery	14,423	16,496
Moore	0	157
Nacogdoches	1,312	1,689
Oldham	52	48
Palo Pinto	768	868
Potter	0	15
Reeves	0	2
Sabine	0	454
San Augustine	246	246
San Jacinto	6	4
Smith	6,388	0
Tarrant	40,640	40,695
Taylor	0	13
Titus	0	3
Tom Green	3,585	3,459
Travis	0	61
Victoria	0	9
Walker	1,115	25
Washington	851	1,260
Wichita	2,977	2,760
Wilson	933	1,262
Wise	0	1,207
Wood	0	1,767
Yoakum	0	6
Young	0	483
Total	260,501	313,714

D VBM ballots cast across Texas counties that can be evaluated for rejection

165 Table 12 lists by county and general election the number of VBM ballots that can be evaluated for rejection status. We discuss on p. 27 of the body of the report how we assess whether a given VBM ballot was late.

Table 12: Observations for which ballot rejection can be assessed, by county and for the 2016 and 2018 General Elections

County	2016	2018
Archer	0	209
Bastrop	1,559	1,674
Bexar	44,070	44,478
Brazoria	0	6,400
Burleson	0	6
Burnet	1,855	1,906
Cameron	0	68
Camp	0	374
Clay	0	1
Collin	0	17,476
Collingsworth	0	26
Cooke	544	634
Deaf Smith	0	364
Denton	13,972	15,724
Edwards	0	1
El Paso	0	227
Erath	771	785
Fannin	645	12
Franklin	256	6,845
Galveston	0	9,725
Gregg	4,000	3,794
Guadalupe	3,097	3,259
Harris	103,390	100,299
Harrison	1,558	1,682
Henderson	62	2,543
Hidalgo	0	7,102
Hood	0	14
Houston	0	25
Johnson	0	59
Kaufman	0	2,015
Kerr	0	22
Leon	441	652
Liberty	0	2
Llano	0	1
Lubbock	6,508	4,985
Montgomery	14,423	16,496
Nacogdoches	1,312	1,689
Potter	0	15
Reeves	0	2
San Jacinto	6	4
Smith	6,388	0

Tarrant	40,640	40,695
Taylor	0	13
Tom Green	3,585	3,459
Travis	0	61
Victoria	0	9
Wood	0	1,767
Yoakum	0	6
Young	0	483
Total	249,082	298,088

E Late VBM ballots, excluding those noted as ‘Okay’

166 This appendix contains tables and figures corresponding to the definition of a late VBM ballot excluding VBM ballots that, one, are described in county-level data as ‘Okay’ and, two, have a record in our Texas voter file potentially consistent with a cast VBM ballot. Our discussion of the matter of whether ‘Okay’ ballots can be late or not is on p. 26 of the report, and there we note that there are 791 ballots that are late based on date received, but in principle not late based on county status codes.

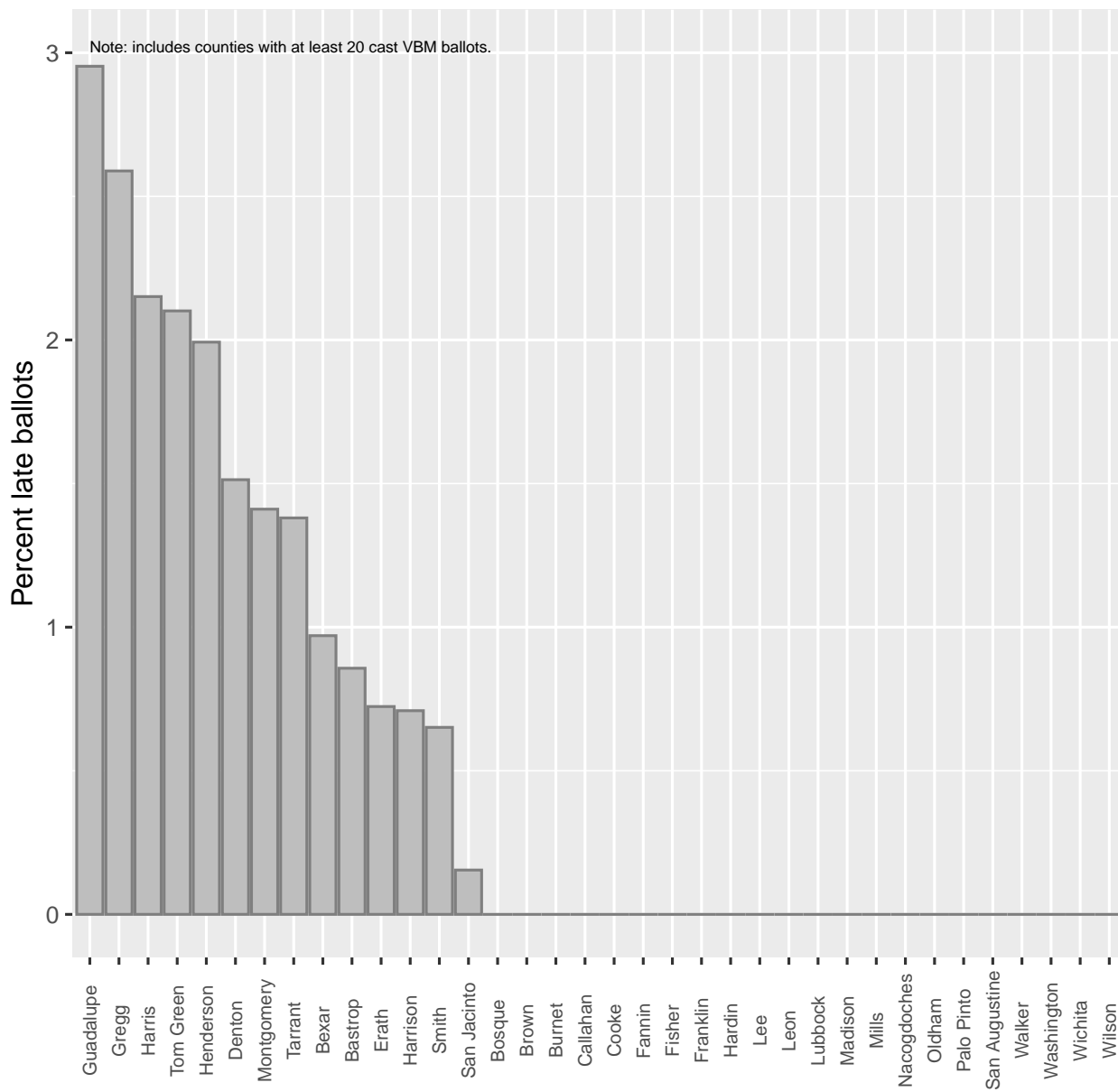
167 Table 13 lists for the 2016 and 2018 General Elections in Texas the number of late VBM ballots and the percentage of late ballots consistent with the above definition of late. This table is analogous to Table 2 on p. 31 of the body of the report.

Table 13: Late domestic VBM ballots (excluding ‘Okay’ ballots)

Election	VBM ballots	Late	Late percent
2016	360,234	3,728	1.03
2018	360,234	3,619	1.00

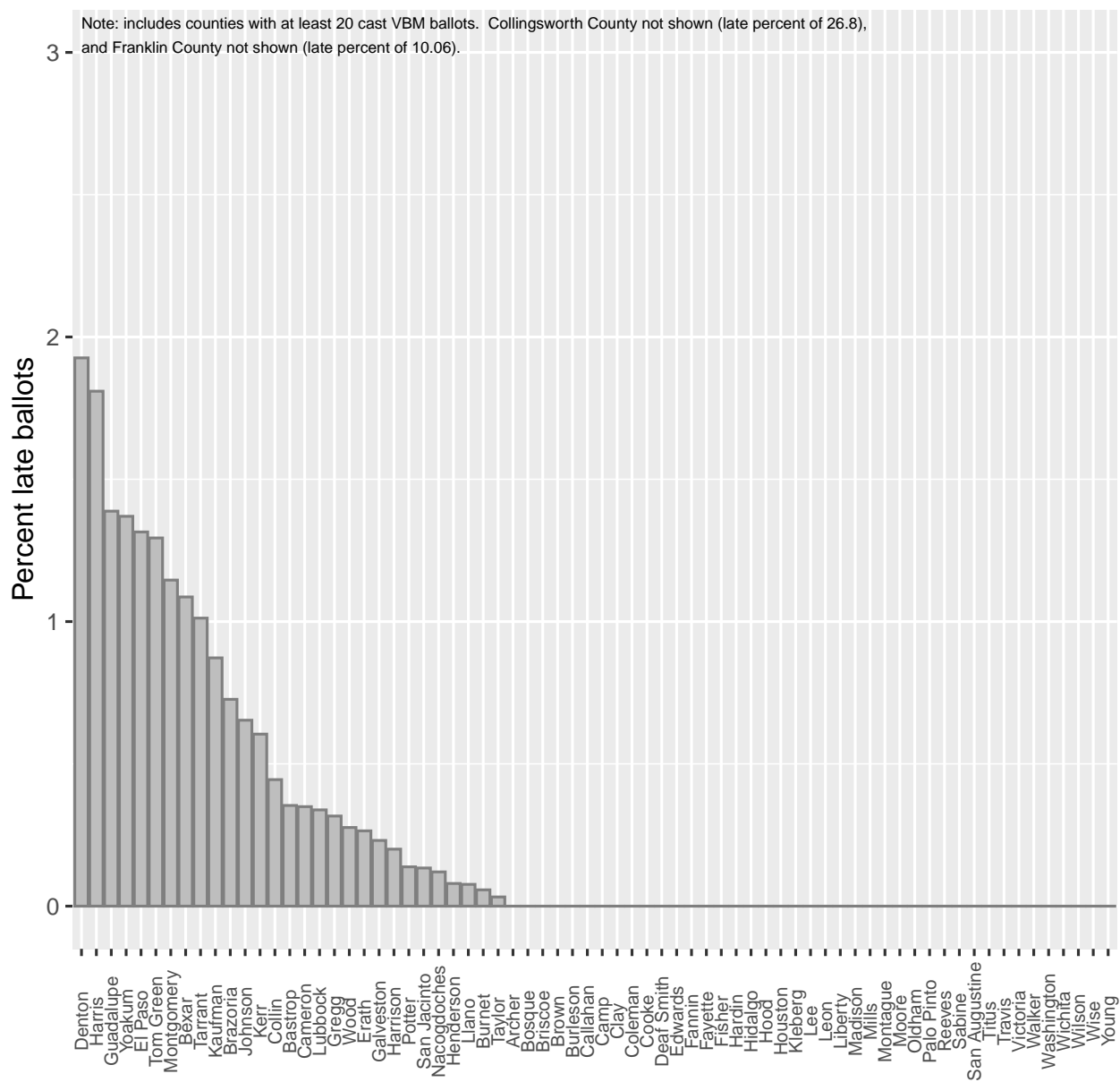
168 Figure 2 contains plots of late ballot rates by county for the 2016 and 2018 General Elections. These plots exclude the 791 VBM ballots categorized as ‘Okay.’

Figure 2: Late VBM ballot rates by county, excluding ‘Okay’ ballots



(a) 2016 General Election

Figure 2: Late VBM ballot rates by county, excluding 'Okay' ballots



(b) 2018 General Election

F *Curriculum vitae* of Michael C. Herron

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Visiting Scholar, Hertie School of Governance, Berlin, Germany. August 2016–July 2017.

Chair, Program in Mathematics and Social Sciences, Dartmouth College. July 2014– June 2015.

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Visiting Associate Professor, Wallis Institute of Political Economy, University of Rochester. September 2006–December 2006.

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Fellowships

Elizabeth R. and Robert A. Jeffe 1972 Fellowship, Dartmouth College. September 2010–June 2011.

Fulbright Scholar Program fellowship for research and teaching at the Heidelberg Center for American Studies, Heidelberg University, September 2009 - February 2010 (declined).

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Publications

Journal articles

“Voting lines, equal treatment, and early voting check-in times in Florida” (with David Cottrell and Daniel A. Smith). Forthcoming, *State Politics & Policy Quarterly*.

“Early voting changes and voter turnout: North Carolina in the 2016 General Election” (with Hannah L. Walker and Daniel A. Smith). *Political Behavior* 41(4): 841-869. 2019.

“Mail-in absentee ballot anomalies in North Carolina’s 9th Congressional District.” *Election Law Journal* 18(3): 191-213. 2019.

“Relative age effects in American professional football” (with Jack F. Heneghan). *Journal of Quantitative Analysis in Sports* 15(3): 185-202. 2019.

“Mortality, Incarceration, and African-American Disenfranchisement in the Contemporary United States” (with David Cottrell, Javier M. Rodriguez, and Daniel A. Smith). *American Politics Research* 47(2): 195-237. 2019.

“Pedagogical Value of Polling Place Observation By Students” (with 31 co-authors). *PS: Political Science & Politics* 51(4): 831-847. 2018.

“All in the family: German twin finishing times in the 2016 women’s Olympic marathon” (with David Cottrell). *CHANCE* 31(3): 20-28. 2018.

“An Exploration of Donald Trump’s Allegations of Massive Voter Fraud in the 2016 General Election” (with David Cottrell and Sean J. Westwood). *Electoral Studies* 51(1): 123-142. 2018.

“Student Sorting and Implications for Grade Inflation (with Zachary D. Markovich). *Rationality and Society* 29(3): 355-386. 2017.

“Race, Shelby County, and the Voter Information Verification Act in North Carolina” (with Daniel A. Smith). *Florida State University Law Review* 43: 465-506. 2016.

“Precinct Resources and Voter Wait Times” (with Daniel A. Smith). *Electoral Studies* 42(2): 249-263. 2016.

“A Careful Look at Modern Case Selection Methods” (with Kevin M. Quinn). *Sociological Methods & Research* 45(3): 458-492. 2016.

“Precinct Closing and Wait Times in Florida during the 2012 General Election” (with Daniel A. Smith). *Election Law Journal* 14(3): 220-238. 2015.

“Race, Party, and the Consequences of Restricting Early Voting in Florida in the 2012 General Election” (with Daniel A. Smith). *Political Research Quarterly* 67(3): 646-665. 2014.

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3

- "The Effects of House Bill 1355 on Voter Registration in Florida" (with Daniel A. Smith). *State Politics & Policy Quarterly* 13(3): 279-305. 2013.
- "Blacks, Hispanics, and Whites: A Study of Race-based Residual Vote Rates in Chicago." *American Politics Research* 41(2): 203-243. 2013.
- "Alvin Greene? Who? How did he win the United States Senate nomination in South Carolina?" (with Joseph Bafumi, Seth J. Hill, and Jeffrey B. Lewis). *Election Law Journal* 11(4): 358-379. 2012.
- "Souls to the Polls: Early Voting in Florida in the Shadow of House Bill 1355" (with Daniel A. Smith). *Election Law Journal* 11(3): 331-347. 2012.
- "Leapfrog Representation and Extremism: A Study of American Voters and their Members in Congress" (with Joseph Bafumi). *American Political Science Review* 104(3): 519-542. 2010.
- "Economic Crisis, Iraq, and Race: A Study of the 2008 Presidential Election" (with Seth J. Hill and Jeffrey B. Lewis). *Election Law Journal* 9(1): 41-62. 2010.
- "Prejudice, Black Threat, and the Racist Voter in the 2008 Presidential Election" (with Joseph Bafumi). *Journal of Political Marketing* 8(4): 334-348. 2009.
- "Voting Technology and the 2008 New Hampshire Primary" (with Walter R. Mebane, Jr., and Jonathan N. Wand). *William & Mary Bill of Rights Journal* 17(2): 351-374. 2008.
- "Ballot Formats, Touchscreens, and Undervotes: A Study of the 2006 Midterm Elections in Florida" (with Laurin Frisina, James Honaker, and Jeffrey B. Lewis). *Election Law Journal* 7(1): 25-47. 2008.
- "Gerrymanders and Theories of Lawmaking: A Study of Legislative Redistricting in Illinois" (with Alan E. Wiseman). *Journal of Politics* 70(1): 151-167. 2008.
- "Estimating the Effect of Redistricting on Minority Substantive Representation" (with David Epstein, Sharyn O'Halloran, and David Park). *Journal of Law, Economics, and Organization* 23(2): 499-518. 2007.
- "Did Ralph Nader Spoil Al Gore's Presidential Bid? A Ballot-Level Study of Green and Reform Party Voters in the 2000 Presidential Election" (with Jeffrey B. Lewis). *Quarterly Journal of Political Science* 2(3): 205-226. 2007.
- "Assessing Partisan Bias in Voting Technology: The Case of the 2004 New Hampshire Recount" (with Jonathan N. Wand). *Electoral Studies* 26(2): 247-261. 2007.
- "Term Limits and Pork" (with Kenneth W. Shotts). *Legislative Studies Quarterly* 31(3): 383-404. 2006.
- "Black Candidates and Black Voters: Assessing the Impact of Candidate Race on Uncounted Vote Rates" (with Jasjeet S. Sekhon). *Journal of Politics* 67(1): 154-177. 2005.
- "Government Redistribution in the Shadow of Legislative Elections: A Study of the Illinois Member Initiatives Grant Program" (with Brett A. Theodos). *Legislative Studies Quarterly* 24(2): 287-312. 2004.
- "Studying Dynamics in Legislator Ideal Points: Scale Matters." *Political Analysis* 12(2): 182-190. 2004.
- "Logical Inconsistency in EI-based Second Stage Regressions" (with Kenneth W. Shotts). *American Journal of Political Science* 48(1): 172-183. 2004.
- "Overvoting and Representation: An examination of overvoted presidential ballots in Broward and Miami-Dade counties Counties" (with Jasjeet S. Sekhon). *Electoral Studies* 22: 21-47. 2003.
- "Using Ecological Inference Point Estimates as Dependent Variables in Second Stage Linear Regressions" (with Kenneth W. Shotts). *Political Analysis* 11(1): 44-64. 2003.

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"Cross-contamination in EI-R" (with Kenneth W. Shotts). *Political Analysis* 11(1): 77–85. 2003.

"A Consensus on Second Stage Analyses in Ecological Inference Models" (with Christopher Adolph, Gary King, and Kenneth W. Shotts). *Political Analysis* 11(1): 86–94. 2003.

"The Butterfly Did It: The Aberrant Vote for Buchanan in Palm Beach County, Florida" (with Jonathan N. Wand, Kenneth W. Shotts, Jasjeet S. Sekhon, Walter R. Mebane, Jr., and Henry E. Brady). *American Political Science Review* 95(4): 793–810. 2001.

"Interest Group Ratings and Regression Inconsistency." *Political Analysis* 9(3): 260–274. 2001.

"Leadership and Pandering: A Theory of Executive Policymaking" (with Brandice Canes-Wrone and Kenneth W. Shotts). *American Journal of Political Science* 45(3): 532–550. 2001.

"Law and Data: The Butterfly Ballot Episode" (with Henry E. Brady, Walter R. Mebane, Jr., Jasjeet S. Sekhon, Kenneth W. Shotts, and Jonathan N. Wand). *PS: Political Science & Politics* 34(1): 59–69. 2001.

"Cutpoint-Adjusted Interest Group Ratings." *Political Analysis* 8(4): 346–366. 2000.

"Estimating the Economic Impact of Political Party Competition in the 1992 British Election." *American Journal of Political Science* 44(2): 326–337. 2000.

"Artificial Extremism in Interest Group Ratings and the Preferences versus Party Debate." *Legislative Studies Quarterly* 24(4): 525–542. 1999.

"Post-Estimation Uncertainty in Limited Dependent Variable < Models." *Political Analysis* 8(1): 83–98. 1999.

"Measurement of Political Effects in the United States Economy: A Study of the 1992 Presidential Election" (with James Lavin, Donald Cram, and Jay Silver). *Economics & Politics* 11(1): 51–81. 1999.

"The Influence of Family Regulation, Connection, and Psychological Autonomy on Six Measures of Adolescent Functions" (with Melissa R. Herman, Sanford M. Dornbusch, and Jerald R. Herting). *Journal of Adolescent Research* 12(1): 34–67. 1997.

Book chapters

"Wait Times and Voter Confidence: A Study of the 2014 General Election in Miami-Dade County" (with Daniel A. Smith, Wendy Serra, and Joseph Bafumi). In *Races, Reforms, & Policy: Implications of the 2014 Midterm Elections*, Christopher J. Galdieri, Tauna S. Sisco, and Jennifer C. Lucas, eds. Akron, OH: University of Akron Press. 2017.

"A Dynamic Model of Multidimensional Collective Choice" (with David P. Baron). In *Computational Models in Political Economy*, Ken Kollman, John H. Miller, and Scott E. Page, eds. Cambridge, MA: The MIT Press. 2003.

"Law and Data: The Butterfly Ballot Episode" (with Henry E. Brady, Walter R. Mebane Jr., Jasjeet Singh Sekhon, Kenneth W. Shotts, and Jonathan Wand). In *The Longest Night: Polemics and Perspectives on Election 2000*, Arthur J. Jacobson and Michel Rosenfeld, eds. Berkeley: University of California Press. 2002.

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Book reviews

The Timeline of Presidential Elections: How Campaigns Do (and Do Not) Matter, Robert S. Erikson and Christopher Wlezien. *Political Science Quarterly* 128(3): 552-553. 2013.

Voting Technology: The Not-So-Simple Act of Casting a Ballot, Paul S. Herrnson, Richard G. Niemi, Michael J. Hammer, Benjamin B. Bederson, and Frederick C. Conrad. *Review of Policy Research* 25(4): 379-380. 2008.

Other publications

"Want to know how many people have the coronavirus? Test randomly" (with Daniel N. Rockmore). *The Conversation*, April 13, 2020. Online at <https://theconversation.com/want-to-know-how-many-people-have-the-coronavirus-test-randomly-135784>

"If more states start using Ohio's system, how many voters will be purged?" (with Daniel A. Smith). *The Washington Post*, Monkey Cage, June 17, 2018.

"Do we have a right not to vote? The Supreme Court suggests we don't" (with Daniel A. Smith). *New York Daily News*, June 12, 2018.

"Nearly 4 million black voters are missing. This is why" (with David Cottrell, Javier M. Rodriguez, and Daniel A. Smith). *The Washington Post*, Monkey Cage, April 11, 2018.

"We can't find any evidence of voting fraud in New Hampshire" (with David Cottrell and Sean Westwood). *The Washington Post*, Monkey Cage, February 28, 2017.

"We checked Trump's allegations of voter fraud. We found no evidence at all" (with David Cottrell and Sean Westwood). *The Washington Post*, Monkey Cage, December 2, 2016.

"High ballot rejection rates should worry Florida voters" (with Daniel A. Smith). *Tampa Bay Times*, October 28, 2012.

"Logistic Regression." *The Encyclopedia of Political Science*, George Thomas Kurian, James E. Alt, Simone Chambers, Geoffrey Garrett, Margaret Levi, and Paula D. McClain, eds., Washington, D.C.: CQ Press. 2010.

"Using XEmacs Macros to Process ASCII Data Files." *The Political Methodologist* 13(2): 13-18. 2005.

"Ohio 2004 Election: Turnout, Residual Votes and Votes in Precincts and Wards" (with Walter R. Mebane, Jr.), in "Democracy At Risk: The 2004 Election in Ohio," report published by the Democratic National Committee. 2005.

"Poisson Regression." *The Encyclopedia of Social Science Research Methods*, Alan Bryman, Michael Lewis-Beck, and Tim Futing Liao, eds. Thousand Oaks, CA: Sage Publications, 2003.

"Pork barrel race to the bottom" (with Brett A. Theodos). *Illinois Issues* 29(2): 22-23. 2003.

"Teaching Introductory Probability Theory." *The Political Methodologist* 10(2): 2-4. 2002.

"Ballot cost Gore thousands of votes" (with Henry E. Brady and Jonathan N. Wand). *The San Diego Union-Tribune*, p. G3, November 19, 2000.

Michael C. Herron

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Work in progress

"Voting by Mail and Ballot Rejection: Lessons from Florida for Elections in the Age of the Coronavirus" (with Anna Baringer and Daniel A. Smith).

"Did ballot design oust an incumbent senator? A study of the 2018 midterm election in Florida" (with Michael D. Martinez and Daniel A. Smith).

Awards

Best Paper Award, State Politics and Policy Section, 2013 Annual Meeting of the American Political Science Association. *Getting Your Souls to the Polls: The Racial Impact of Reducing Early In-Person Voting in Florida* (with Daniel A. Smith).

Grants

Committee for Scholarly Innovation and Advancement Awards, Dartmouth College, February, 2014. Project title: "The Dynamics of Voting Lines in Miami-Dade County." Financial support: \$32,000.

The Rockefeller Center for Public Policy and the Social Sciences, Dartmouth College, May, 2006. Project title: "Large Scale Survey of Americans in Multiple Congressional Districts." Financial support: \$8,500.

National Science Foundation, SES-041849, July, 2004. Project title: "A Ballot-Level Study of Intentional and Unintentional Abstention in Presidential Election Voting." Financial support: \$65,749.

Nelson A. Rockefeller Center for the Social Sciences, Dartmouth College, January, 2004. Project title: "Intentional Invalid Votes in Leon County, Florida." Financial support: \$1,115.

American Enterprise Institute, August, 1999. Project title: "Tenure in Office and Congressional Voting" (with Kenneth W. Shotts). Financial support: \$182,500.

University Research Grants Committee, Northwestern University, February, 1999. Project Title: "Representation, Policy Uncertainty, and Divided Government." Financial support: \$4,087.

Stanford University Graduate School of Business, 1997–1998 Academic Year. Dissertation Research Grant.

Recent conference presentations

"Ballot design, voter intentions, and representation: A study of the 2018 midterm election in Florida," 2019 Annual Meeting of the American Political Science Association, Washington, DC.

"Ballot design, voter intentions, and representation: A study of the 2018 midterm election in Florida," Election Sciences, Reform, and Administration conference, 2019, University of Pennsylvania.

"Did ballot design oust an incumbent senator? A study of the 2018 midterm election in Florida," Congressional Elections & the Presidency: Politics in 2018, March 30, 2019, Saint Anselm College, Manchester NH.

"Estimating the Differential Effects of Purging Inactive Registered Voters," 2018 Annual Meeting of the American Political Science Association, Boston MA.

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"Estimating the Differential Effects of Purging Inactive Registered Voters," Election Sciences, Reform, and Administration conference, 2018, University of Wisconsin-Madison.

Keynote address, "Mortality, Incarceration, and African-American Disenfranchisement," *Balancing the Scales: The United States in an Age of Inequality*, November 11, 2016, John F. Kennedy Institute, Freie Universität Berlin.

"Missing Black Men and Representation in American Political Institutions," 2016 Annual Meeting of the Midwest Political Science Association, Chicago, IL.

Invited seminars

University of Iowa, 1999	University of Mannheim, 2011
Boston University, 2000	University of Heidelberg, 2011
Dartmouth College, 2000	University of Passau, 2012
Harvard University, 2000	University of Göttingen, 2012
University of Minnesota, 2000	Freie Universität Berlin, 2012
University of Rochester, 2000	Laval University, 2012
University of Wisconsin, Madison, 2000	University of Montreal, 2012
Yale University, 2000	Middlebury College, 2013
Columbia University, 2001	University of Illinois, Champaign, 2013
University of California, Berkeley, 2002	University of Illinois, Chicago, 2013
University of Illinois, 2002	University of Wisconsin, Madison, 2013
Brown University, 2003	Yale University, 2014
Temple University, 2003	University of Virginia, 2015
University of Chicago, 2003	University of California, San Diego, 2015
New York University, 2004	American University, 2015
Princeton University, 2004	Massachusetts Institute of Technology, 2015
University of Michigan, 2005	Princeton University, 2015
George Washington University, 2006	University of California, Los Angeles, 2016
Emory University, 2006	The Ohio State University, 2016
Harvard University, 2007	Freie Universität Berlin, 2016
Loyola Law School, 2007	Deutsch-Amerikanisches Institut, Nürnberg, 2017
Columbia University, 2007	Universität Bonn, 2018
University of Chicago, 2007	Freie Universität Berlin, 2018
Yale University, 2007	Northwestern University, 2018
Stanford University, 2008	University of Pittsburgh, 2019
Columbia University, 2008	University of Salzburg, 2019
Northwestern University, 2008	Universität Bonn, 2019
Princeton University, 2008	Freie Universität Berlin, 2019
Duke University, 2009	Humboldt University, 2019
Hertie School of Governance, 2010	University of North Carolina, Charlotte, 2019
Emory University, 2010	

Professional activities

Division Chair, Representation and Electoral Systems, 2017 Annual Meeting of the Midwest Political Science Association.

Associate Editor, *Research & Politics*. November, 2016–present.

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Editorial Board, *American Politics Research*, September, 2015–present.
 Editorial Board, *Political Analysis*, January, 2010–present.
 Editorial Board, *USENIX Journal of Election Technology and Systems*, March, 2013–June, 2016.
 Editorial Board, *American Political Science Review*, 2010–2012.
 Editorial Board, *American Journal of Political Science*, 2006–2009.
 “Race, Voting Procedures, and New Developments in Voting Rights,” panel organized for the 2013 Annual Meeting of the Midwest Political Science Association.
 Division Chair, Formal Theory, 2007 Annual Meeting of the American Political Science Association.
 Co-editor, *The Political Methodologist*, Fall, 2004–Spring, 2006.
 Publications Committee, Society for Political Methodology, 2005–2006, 2015–present.

Dartmouth College activities

Chair, American Politics Search Committee, Department of Government, August 2018–March 2019.
 Chair, Committee on Priorities, July 2015–June 2016.
 Committee on Priorities, July 2013–June 2015.
 American politics search committee, Department of Government, August 2014–December 2014.
 Research Computing Director search committee, October 2013–October 2014.
 Senior Search Committee, Department of Government, 2013.
 Research Computing Advisory Committee, Spring 2013.
 Chair, American Politics Search Committee, Department of Government, 2012–2013.
 Recruitment Planning Committee, Department of Government, 2010 and 2012–2013.
 Committee on Standards, 2008–2010.
 Task Force on Collaboration and Social Software, 2007–2008.
 Biostatistics search committee, Dartmouth Medical School, 2006–2007.
 Research Computing Oversight Committee, 2006.
 Council on Computing, 2005–2007.
 Clement Chair search committee, Department of Government, 2005–2006.

Northwestern University activities

Program Committee, Mathematical Methods in the Social Sciences, 2001–2002.
 American Politics Search Committee, Department of Political Science, 2000–2001, 2001–2002.
 Formal Theory Search Committee, Department of Political Science, 1997–1998.

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Teaching interests

Statistical methods: introductory and applied statistics, research design, computing in R, Bayesian statistics.

American politics: representation, election irregularities, election administration.

Political economy: game theory.

Reviewer for

<i>American Journal of Political Science</i>	<i>Political Analysis</i>
<i>American Political Science Review</i>	<i>Political Behavior</i>
<i>American Politics Quarterly</i>	<i>Political Research Quarterly</i>
<i>American Politics Review</i>	<i>Political Science Quarterly</i>
<i>British Journal of Political Science</i>	<i>Political Science Research and Methods</i>
Cambridge University Press	<i>Political Studies</i>
Chapman & Hall	<i>Politics & Gender</i>
<i>Congress & the Presidency</i>	<i>Politics, Groups, and Identities</i>
<i>Du Bois Review</i>	<i>Polity</i>
<i>Economics & Politics</i>	Prentice Hall Higher Education Group
<i>Election Law Journal</i>	<i>Proceedings of the National Academy of Sciences</i>
<i>Electoral Studies</i>	<i>Public Administration</i>
<i>Emerging Markets Finance & Trade</i>	<i>Public Choice</i>
<i>Interest Groups & Advocacy</i>	<i>Public Opinion Quarterly</i>
<i>Int'l Journal of Environmental Research and Public Health</i>	<i>PS: Political Science and Politics</i>
John Wiley & Sons, Inc.	<i>Quarterly Journal of Economics</i>
<i>Journal of Legal Studies</i>	<i>Quarterly Journal of Political Science</i>
<i>Journal of Money, Credit and Banking</i>	<i>Race and Social Problems</i>
<i>Journal of Politics</i>	<i>The Social Science Journal</i>
<i>Journal of Public Economics</i>	<i>Social Science Quarterly</i>
<i>Journal of Race, Ethnicity, and Politics</i>	<i>Sociological Methods & Research</i>
<i>Journal of Theoretical Politics</i>	<i>The Sociological Quarterly</i>
<i>Journal of Women, Politics & Policy</i>	Springer
<i>Legislative Studies Quarterly</i>	<i>State Politics & Policy Quarterly</i>
The National Science Foundation	Time-Sharing Experiments for the Social Sciences
<i>Nonprofit Policy Forum</i>	The University of Michigan Press
<i>Perspectives on Politics</i>	W. W. Norton & Company
<i>Policy Studies Journal</i>	<i>World Politics</i>

Foreign language

German: C1 (telc Prüfung, Ausstellung July 27, 2017).

Other employment

Intelligence Analyst and Military Officer, United States Air Force, Foreign Technology Division, Wright-Patterson Air Force Base, 1989–1992.

Michael C. Herron

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Last updated: May 8, 2020
<http://www.dartmouth.edu/~herron/cv.pdf>

G *Curriculum vitae* of Daniel A. Smith

8 May 2020

DANIEL A. SMITH ***Curriculum Vitae***

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University of Florida
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Homepage: <http://people.clas.ufl.edu/dasmith/www.electionsmith.com>

EDUCATION

University of Wisconsin-Madison

Ph.D., Political Science, 1994

M.A., Political Science, 1989

The Pennsylvania State University

B.A., Political Science (Foreign Affairs) & B.A., History (*cum laude*), 1988

University Scholars Program (University Honors)

Phi Beta Kappa, Phi Alpha Theta

Macro Economics Program, *Westminster College, Oxford University*, Summer, 1987

ACADEMIC EMPLOYMENT

University of Florida, Gainesville

Professor, Department of Political Science, 2010-

Chair, 2017-

Graduate Coordinator, 2014-2016

Associate Chair, 2013-2014

Director, Graduate Program in Political Campaigning, 2007-2011

Affiliate Professor, Center for African Studies, 2010-

Affiliate Professor, The Bob Graham Center for Public Service, 2013-

Internship Coordinator, Department of Political Science, 2005-

Associate Professor (with tenure), Department of Political Science, 2003-2009

University of Denver

Associate Professor (with tenure), Department of Political Science, 2000-2003

Assistant Professor, Department of Political Science, 1994-2000

Director, *University of Denver/University of Ghana* Study Abroad Program, 1995-2002

University of Ghana

Senior Fulbright Scholar, Department of Political Science, 2000-01

West Virginia University

Visiting Assistant Professor, Department of Political Science, 1993-1994

Beloit College

Visiting Lecturer, *Warner Mills Teaching Fellow*, Department of Government, 1992-1993

University of Wisconsin-Madison

Teaching Assistant, Department of Political Science, 1988; 1990-1991

Research Assistant, Center on Wisconsin Strategy, 1989-1991

Project Assistant, Department of Political Science, 1989-1990

RESEARCH FELLOWSHIPS

University of Florida Term Professor, 2016-2018

Research Associate, *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, Fall 2011

University of Florida Research Foundation (UFRF) Professor, 2010-2012

Visiting Scholar, Bill Lane Center for the Study of the North American West, Stanford University, Spring 2007

Senior Research Scholar, Ballot Initiative Strategy Center, Washington, D.C., Spring 2006

Senior Fulbright Scholar (Ghana), United States Department of State, 2000-01

Research Associate, *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, 2000-01

AREAS OF SPECIALIZATION

American State Politics

Voting and Elections (Political Campaigns, Campaign Finance, Voting Rights, Redistricting)

Direct Democracy (Ballot Initiatives and Referendums)

American Institutions (Political Parties and Interest Groups)

Politics of Ghana (Voting and Elections)

COURSES TAUGHT

Intro to American Politics (Undergrad)
 Interest Group Politics (Undergrad)
 Direct Democracy (Grad & Undergrad)
 Politics of Reform (Grad)

State and Local Government (Grad & Undergrad)
 Political Parties (Grad & Undergrad)
 Politics of Campaign Finance (Grad & Undergrad)
 Problems of Markets and Governments (Undergrad)

SCHOLARLY PUBLICATIONS**BOOKS**

- 3) Todd Donovan, Daniel A. Smith, Tracy Osborne, and Christopher Z. Mooney. 2015. *State and Local Politics: Institutions and Reform*. 4th edition. Boston (MA): Cengage Learning Wadsworth.
- 2) Daniel A. Smith and Caroline J. Tolbert. 2004. *Educated by Initiative: The Effects of Direct Democracy on Citizens and Political Organizations in the American States*. Ann Arbor: University of Michigan Press.
- 1) Daniel A. Smith. 1998. *Tax Crusaders and the Politics of Direct Democracy*. NY: Routledge.

JOURNAL ARTICLES (current PhD students **bold**; former PhD students *italics*; current undergrad students *italics*)

- 63) William D. Hicks, Seth C. McKee, and Daniel A. Smith, "Contemporary Views of Liberal Democracy and the 2016 Presidential Election." Accepted. *PS: Political Science*.
- 62) Michael Martinez, Michael P. McDonald, Enrijeta Shino, and Daniel A. Smith. "Verifying Voter Registration Records." Forthcoming. *American Politics Review*.
- 61) Enrijeta Shino and Daniel A. Smith, "Mobilizing the Youth Vote? Early Voting on College Campuses." Forthcoming. *Election Law Journal*.
- 60) David Cottrell, Michael C. Herron, and Daniel A. Smith. Forthcoming. "Voting Lines, Equal Treatment, and Early Voting Check-in Times in Florida," *State Politics and Policy Quarterly*.
- 59) Charles Bullock, William D. Hicks, M.V. Hood, Seth C. McKee, and Daniel A. Smith. Early View. "The Election of African American State Legislators in the Modern South." *Legislative Studies Quarterly* (April 1, 2020). <https://onlinelibrary.wiley.com/doi/10.1111/lsq.12280>.
- 58) Thessalia Merivaki and Daniel A. Smith. 2019. "A Failsafe for Voters? Cast and Rejected Provisional Ballots in North Carolina," *Political Research Quarterly*. (September 19, 2019). <https://doi.org/10.1177/1065912919875816>.
- 57) Seth C. McKee, Daniel A. Smith, and M.V. (Trey) Hood. 2018. "The Comeback Kid: Donald Trump on Election Day in 2016." *PS: Political Science* 52 (2): 239-242.
- 56) Hannah L. Walker, Michael C. Herron, and Daniel A. Smith. 2019. "North Carolina voter turnout and early voting hours in the 2016 General Election." *Political Behavior* 41: 841-69.
- 55) Daniel Biggers and Daniel A. Smith. 2019. "Does Threatening their Franchise Make Registered Voters More Likely to Participate? Evidence from an Aborted Voter Purge." *British Journal of Political Science*. <https://doi.org/10.1017/S0007123418000157>.
- 54) Brian Amos, Diana Forster, and Daniel A. Smith. 2018. "Who Signs? Ballot Petition Signatures as Political Participation," *American Review of Politics* 36(2): 19-37.
- 53) David Cottrell, Michael C. Herron, Javier M. Rodriguez, and Daniel A. Smith. 2019. "Mortality, Incarceration, and African-American Disenfranchisement in the Contemporary United States," *American Politics Research* 47(2) 195-237.
- 52) Daniel A. Smith, Seth C. McKee, and M.V. (Trey) Hood, III. 2018. "Election Daze: Voting Modes and Voter Preferences in the 2016 Presidential Election," *Florida Political Chronicle* 25(2): 123-141.
- 51) Enrijeta Shino and Daniel A. Smith. 2018. "Timing the Habit: Voter Registration and Turnout in the American States." *Electoral Studies* 51: 72-82.
- 50) William D. Hicks, Carl E. Klarner, Seth C. McKee, and Daniel A. Smith. 2018. "Revisiting Majority-Minority Districts and Black Representation," *Political Research Quarterly* 71(2): 408-23.
- 49) Brian Amos, Daniel A. Smith, and Casey Ste. Claire. 2017. "Reprecincting and Voting Behavior," *Political Behavior* 39(1): 133-156.
- 48) William D. Hicks, Seth C. McKee, and Daniel A. Smith. 2016. "A Bipartisan Election Reform? Explaining Support for Online Voter Registration in the American States," *American Politics Research* 44(6): 1008-1036.
- 47) Michael C. Herron and Daniel A. Smith. 2016. "Race, Shelby County, and the Voter Information Verification Act in North Carolina," *Florida State University Law Review* 43: 465-506.
- 46) William D. Hicks, Seth C. McKee, and Daniel A. Smith. 2016. "The Determinants of State Legislator Support for Restrictive Voter ID Laws," *State Politics & Policy Quarterly* 16(4): 411-431.
- 45) Michael C. Herron and Daniel A. Smith. 2016. "Precinct Resources and Voter Wait Times," *Electoral Studies* 42: 249-63.
- 44) Thessalia Merivaki and Daniel A. Smith. 2016. "Casting and Verifying Provisional Ballots in Florida," *Social Science Quarterly* 97(3): 729-47.
- 43) Michael C. Herron and Daniel A. Smith. 2015. "Precinct Closing Times in Florida during the 2012 General Election," *Election Law Journal* 14: 220-38.
- 42) William D. Hicks, Seth C. McKee, Mitchell Sellers, and Daniel A. Smith. 2015. "A Principle or a Strategy? Voter Identification Laws and Partisan Competition in the American States," *Political Research Quarterly* 68: 18-33.

- 41) Michael C. Herron and Daniel A. Smith. 2014. "Race, Party, and the Consequences of Restricting Early Voting in Florida in the 2012 General Election," *Political Research Quarterly* 67: 646-65.
- 40) Josh Brodbeck, **Matthew T. Harrigan**, and Daniel A. Smith. 2013. "Citizen and lobbyist access to Members of Congress: Who gets and who gives?" *Interest Groups and Advocacy* 2: 323-42.
- 39) Michael C. Herron and Daniel A. Smith. 2013. "House Bill 1355 and Voter Registration in Florida," *State Politics and Policy Quarterly*, 13: 279-305.
- 38) Michael C. Herron and Daniel A. Smith. 2012. "Souls to the Polls: Early Voting in Florida in the Shadow of House Bill 1355," *Election Law Journal* 11: 331-47.
[Winner of the 2013 APSA State Politics and Policy Section's *Best Paper Award*]
- 37) Janine Parry, Daniel A. Smith, and Shayne Henry. 2011. "The Impact of Petition Signing on Voter Turnout," *Political Behavior* 34: 117-36.
- 36) **Stephanie Slade** and Daniel A. Smith. 2011. "Obama to Blame? African American Surge Voters and the Ban on Same-Sex Marriage in Florida," *The Forum* 9(2), Article 6: <http://www.bepress.com/forum/vol9/iss2/art6>.
- 35) Daniel A. Smith. 2011. "Generating Scholarship from Public Service: Media Outreach, Nonprofit Foundation Service, and Legal Expert Consulting," *PS: Political Science & Politics* 44: 255-9.
- 34) **Josh Huder**, **Jordan Ragusa**, and Daniel A. Smith. 2011. "The Initiative to Shirk? The Effects of Ballot Measures on Congressional Voting Behavior," *American Politics Research* 39 (3): 582-610.
- 33) Daniel A. Smith, Caroline J. Tolbert, and Amanda Keller. 2010. "Electoral and Structural Losers and Support for a National Referendum in the U.S." *Electoral Studies* 29: 509-520.
- 32) Daniel A. Smith and Caroline J. Tolbert. 2010. "Direct Democracy, Public Opinion, and Candidate Choice," *Public Opinion Quarterly* 74: 85-108.
- 31) Caroline Tolbert, Daniel A. Smith, and John Green. 2009. "Mass Support for Redistricting Reform: District and Statewide Representational Winners and Losers." *Political Research Quarterly* 62: 92-109.
- 30) Todd Donovan, Caroline J. Tolbert, and Daniel A. Smith. 2009. "Political Engagement, Mobilization, and Direct Democracy," *Public Opinion Quarterly* 73: 98-118.
- 29) Daniel A. Smith. 2009. "An Americanist in Africa," *PS: Political Science & Politics* 42 (4): 827-33.
- 28) Beatrix Allah-Mensa, *Kevin S. Fridy*, Daniel A. Smith, and Ukoha Ukiwo. "2009 APSA Workshop on African Elections and Democracy," *PS: Political Science & Politics*. 42 (4): 827-33. [Editors of a Special Symposium on the 2009 APSA Workshop in Ghana].
- 27) Todd Donovan, Caroline Tolbert, and Daniel A. Smith. 2008. "Priming Presidential Votes by Direct Democracy," *Journal of Politics* 70: 1217-31.
- 26) Daniel A. Smith and **Dustin Fridkin**. 2008. "Delegating Direct Democracy: Interparty Legislative Competition and the Adoption of the Initiative in the American States," *American Political Science Review* 102: 333-50.
- 25) Eric Heberlig, Bruce Larson, Daniel A. Smith, and **Kristen Soltis**. 2008. "Look Who's Coming to Dinner: Direct versus Brokered Member Campaign Contributions to the NRCC." *American Politics Research* 36 433-450.
- 24) Daniel A. Smith and Caroline J. Tolbert. 2007. "The Instrumental and Educative Effects of Ballot Measures: Research on Direct Democracy in the American States." *State Politics and Policy Quarterly* 4: 417-446.
- 23) Daniel A. Smith. 2007. "Representation and the Spatial Bias of Direct Democracy," *University of Colorado Law Review* 78 (4): 1395-1434.
- 22) Daniel A. Smith and Caroline J. Tolbert, and Daniel Bowen. 2007. "The Educative Effects of Direct Democracy: A Research Primer for Legal Scholars," *University of Colorado Law Review* 78 (4): 1371-94.
- 21) Daniel A. Smith, **Matthew DeSantis**, and **Jason Kassel**. 2006. "Same-Sex Marriage Ballot Measures and the 2004 Presidential Election," *State and Local Government Review* 38 (2): 78-91.
- 20) Caroline J. Tolbert and Daniel A. Smith. 2006. "Representation and Direct Democracy in the United States." *Representation: The Journal of Representative Democracy* 42 (1): 25-44.
- 19) Elizabeth Garrett and Daniel A. Smith. 2005. "Veiled Political Actors and Campaign Disclosure Laws in Direct Democracy." *Election Law Journal* 4 (4) 295-328.
- 18) Caroline J. Tolbert and Daniel A. Smith. 2005. "The Educative Effects of Ballot Initiatives on Voter Turnout." *American Politics Research* 33 (2): 283-309.
- 17) Daniel A. Smith. 2004. "Peeling Away the Populist Rhetoric: Toward a Taxonomy of Anti-Tax Ballot Initiatives." *Journal of Public Budgeting and Finance* 24 (4): 88-110.
- 16) Daniel A. Smith. 2003. "Overturning Term Limits: The Legislature's Own Private Idaho?" *PS: Political Science & Politics* 36 (2): 215-220.
- 15) Caroline J. Tolbert, Ramona McNeal, and Daniel A. Smith. 2003. "Enhancing Civic Engagement: The Effect of Direct Democracy on Political Participation and Knowledge." *State Politics and Policy Quarterly* 3 (1): 23-41.
- 14) Daniel A. Smith. 2003. "Distorted by Outside Money: National Parties and the Race for Colorado's Seventh Congressional District," *PS: Political Science & Politics* 36 (3) PSONline E-Symposium
<<http://journals.cambridge.org/action/displayAbstract?aid=164256>>.
- 13) Daniel A. Smith and **Joseph Lubinski**. 2002. "Direct Democracy during the Progressive Era: A Crack in the Populist Veneer?" *Journal of Policy History* 14 (4): 349-83.
- 12) Jonathan Temin and Daniel A. Smith. 2002. "Media Matters: Evaluating the Role of the Media in Ghana's 2000 Elections." *African Affairs* 101: 585-605.

- 11) Daniel A. Smith. 2002. "Consolidating Democracy? The Structural Underpinnings of Ghana's 2000 Elections." *Journal of Modern African Studies* 40 (4): 1-30.
- 10) Daniel A. Smith. 2002. "Ghana's 2000 Elections: Consolidating Multi-Party Democracy." *Electoral Studies* 21 (3): 519-26.
- 9) Daniel A. Smith and Caroline Tolbert. 2001. "The Initiative to Party: Partisanship and Ballot Initiatives in California." *Party Politics* 7 (6): 781-99.
- 8) Caroline Tolbert, John Grummel, and Daniel A. Smith. 2001. "The Effect of Ballot Initiatives on Voter Turnout in the American States." *American Politics Research* 29 (6): 625-48.
- 7) Daniel A. Smith. 2001. "Homeward Bound? Micro-Level Legislative Responsiveness to Ballot Initiatives." *State Politics and Policy Quarterly* 1 (1): 50-61.
- 6) Daniel A. Smith and **Robert J. Herrington**. 2000. "The Process of Direct Democracy: Colorado's 1996 Parental Rights Amendment." *Social Science Journal* 37 (2): 179-94.
- 5) Daniel A. Smith. 1999. "Reevaluating the Causes of Proposition 13." *Social Science History* 23 (2): 173-210.
- 4) Daniel A. Smith and **Nathaniel Golich**. 1998. "Some Unintended Consequences of TABOR." *Comparative State Politics* 19 (6): 33-40.
- 3) Daniel A. Smith, Kevin M. Leyden, and Stephen A. Borrelli. 1998. "Predicting the Outcomes of Presidential Commissions: Evidence from the Johnson and Nixon Years." *Presidential Studies Quarterly* 28 (2): 269-85.
- 2) Daniel A. Smith. 1996. "Populist Entrepreneur: Douglas Bruce and the Tax and Government Limitation Moment in Colorado, 1986-1992." *Great Plains Research* 6 (2): 269-94.
- 1) Daniel A. Smith. 1993. "Removing the Pluralist Blinders: Labor-Management Councils and Industrial Policy in the American States." *Economic Development Quarterly* 7 (4): 373-89.

UNDER REVIEW (current PhD students **bold**; former PhD students *italics*; current undergrad students *italics*)

- 1) *Enrijeta Shino* and Daniel A. Smith, "Political Knowledge of Early Voters." Revise and Resubmit.

BOOK CHAPTERS (current PhD students **bold**; former PhD students *italics*; current undergrad students *italics*)

- 28) *Thessalia Merivaki* and Daniel A. Smith. 2019. "Challenges in Voter Registration," in *The Future of Election Administration*, Mitchell Brown, Kathleen Hale, and Bridgett A. King, eds. New York: Palgrave/Macmillan.
- 27) Seth C. McKee and Daniel A. Smith. 2019. "Trump Territory," in *Florida and the 2016 Election of Donald J. Trump*, Matthew Corrigan and Michael Binder, eds. Gainesville: University of Florida Press (49-75).
- 26) Daniel A. Smith, **Brian Amos**, Daniel Maxwell, and **Tyler Richards**. 2019. "Rigged? Assessing Election Administration in Florida's 2016 General Election," in *Florida and the 2016 Election of Donald J. Trump*, Matthew Corrigan and Michael Binder, eds. Gainesville: University of Florida Press (pp. 154-74).
- 25) Daniel A. Smith, **Dillon Boatner**, **Caitlin Ostroff**, **Pedro Otálora**, and **Laura Uribe**, "Early Bird Special: Convenience Voting in Florida's 2016 General Election," in *Florida and the 2016 Election of Donald J. Trump*, Matthew Corrigan and Michael Binder, eds. Gainesville: University of Florida Press (pp. 134-53).
- 24) Michael C. Herron, Daniel A. Smith, **Wendy Serra**, and Joseph Bafumi. 2017. "Wait Times and Voter Confidence: A Study of the 2014 General Election in Miami-Dade County," in *The American Election 2014: Contexts and Consequences*, Tauna Sisco, Christopher Galdieri, and Jennifer Lucas, eds. Akron, OH: University of Akron Press (pp. 107-122).
- 23) **Joseph T. Eagleton** and Daniel A. Smith. 2015. "Drawing the Line: Public Support for Amendments 5 and 6," in *Jigsaw Puzzle Politics in the Sunshine State*, Seth C. McKee, ed. Gainesville, FL: University Press of Florida (pp. 109-25).
- 22) **Diana Forster** and Daniel A. Smith. 2014. "A Climate for Change? Environmental Ballot Measures," in *U.S. Climate Change Policy and Civic Society*, Yael Wolinsky-Nahmias, ed. Washington, DC: C.Q. Press.
- 21) Daniel A. Smith. 2014. "Direct Democracy," in *The Encyclopedia of Political Thought*, Michael T. Gibbons, ed. Oxford: Wiley-Blackwell.
- 20) **William Hicks** and Daniel A. Smith. 2013. "State Campaigns and Elections," in *The Oxford Handbook of State and Local Government*, Donald Haider-Markel, ed. New York: Oxford University Press.
- 19) Daniel A. Smith. 2012. "Direct Democracy: Regulating the 'Will of the People,'" in Matthew J. Streb, ed., *Law and Election Politics: The Rules of the Game*, 2nd ed. New York: Routledge.
- 18) Daniel A. Smith. 2011. "Direct Democracy in Colorado: A Historical Perspective," in Courtenay Daum, Robert Duffy, and John Straayer, eds., *State of Change: Colorado Politics in the Twenty-first Century*. Boulder: University of Colorado Press.
- 17) Daniel A. Smith. 2010. "Direct Democracy and Candidate Elections," in Stephen C. Craig and David Hill, *The Electoral Challenge: Theory Meets Practice*, 2nd edition. Washington, DC: CQ Press.
- 16) Daniel A. Smith. 2010. "Financing Ballot Measures in the U.S.," in Karin Gilland-Lutz and Simon Hug, eds., *Financing Referendum Campaigns*. New York: Palgrave.
- 15) Daniel A. Smith. 2008. "Direct Democracy and Campaigns," in Shaun Bowler and Amihai Glazer, eds., *Direct Democracy's Impact on American Political Institutions*. New York: Palgrave.
- 14) Todd Donovan and Daniel A. Smith. 2008. "Identifying and Preventing Signature Fraud on Ballot Measure Petitions," in Michael Alvarez, Thad E. Hall, and Susan D. Hyde, eds., *Election Fraud: Detecting and Detering Electoral Manipulation*. Washington, DC: Brookings.

- 13) Daniel A. Smith. 2008. "Direct Democracy and Election and Ethics Laws," in Bruce Cain, Todd Donovan, and Caroline Tolbert, eds., *Democracy in the States: Experiments in Elections Reform*. Washington, DC: Brookings.
- 12) Daniel A. Smith. 2007. "Ballot Initiatives," in Gary Anderson and Kathryn Herr, eds., *Encyclopedia of Activism and Social Justice*. Thousand Oaks, CA: Sage Publications, Inc.
- 11) Raymond J. La Raja, **Susan E. Orr**, and Daniel A. Smith. 2006. "Surviving BCRA: State Party Finance in 2004," in John Green and Daniel Coffey, eds., *The State of the Parties* (5th edition). Lanham, MD: Rowman and Littlefield.
- 10) Daniel A. Smith. 2006. "Initiatives and Referendums: The Effects of Direct Democracy on Candidate Elections," in Steven Craig, ed., *The Electoral Challenge: Theory Meets Practice*. Washington, D.C.: CQ Press.
- 9) Daniel A. Smith (with **Sure Log**). 2005. "Orange Crush: Mobilization of Bias, Ballot Initiatives, and the Politics of Professional Sports Stadiums," in David McCuan and Stephen Stambough, eds., *Initiative-Centered Politics*. Durham, NC: Carolina Academic Press.
- 8) Daniel A. Smith. 2005. "The Initiative to Party: The Role of Parties in State Ballot Initiatives," in David McCuan and Stephen Stambough, eds., *Initiative-Centered Politics*. Durham, NC: Carolina Academic Press.
- 7) Daniel A. Smith. 2004. "Strings Attached: Outside Money in Colorado's Seventh Congressional District," in David Magleby and Quin Monson, eds., *The Last Hurrah?* Washington, D.C.: Brookings.
- 6) Daniel A. Smith. 2002. "Direct Democracy and Its Critics," in Peter Woolley and Albert Papa, eds., *American Politics: Core Argument/Current Controversy*. 2nd ed. Englewood Cliffs, NJ: Prentice Hall.
- 5) Daniel A. Smith. 2001. "Campaign Financing of Ballot Initiatives in the American States," in Larry Sabato, Bruce Larson, and Howard Ernst, eds., *Dangerous Democracy? The Battle Over Ballot Initiatives in America*. Lanham, MD: Rowman and Littlefield.
- 4) Daniel A. Smith. 2001. "Special Interests and Direct Democracy: An Historical Glance," in M. Dane Waters, ed., *The Battle Over Citizen Lawmaking*. Durham, NC: Carolina Academic Press.
- 3) Daniel A. Smith and Jonathan Temin. 2001. "The Media and Ghana's 2000 Elections," in Joseph Ayee, ed., *Deepening Democracy in Ghana: Politics of the 2000 Elections*, Volume 1 (Thematic Studies). Accra: Freedom Publications.
- 2) Daniel A. Smith. 2001. "The Politics of Upper East and the 2000 Ghanaian Elections," in Joseph Ayee, ed., *Deepening Democracy in Ghana: Politics of the 2000 Elections*, Volume 2 (Constituency Studies). Accra: Freedom Publications.
- 1) Daniel A. Smith. 1998. "Unmasking the Tax Crusaders," in Bruce Stinebrickner, ed., *Annual Editions: State & Local Government*. 9th ed. Guilford, CT: Dushkin/McGraw-Hill, 83-85 [Reprinted].

RESEARCH GRANTS, CONTRACTS, HONORS, AND AWARDS

- 38) University Scholars Program Grant (advising **Emily Boykin** and **Jenna Tatum**), University of Florida, "Spanish Language Materials, Administrative Compliance, and Hispanic Voting in Florida." Fall 2019/Spring 2020.
- 37) CLAS Scholars Program Grant (advising **William Zelin**), University of Florida, "The Effect of Natural Disasters on Voter Turnout." Fall 2019/Spring 2020.
- 36) Gill Foundation Grant, "LGBT Issues in Florida," Spring 2018 (Co-PI, Michael Martinez).
- 35) University of Florida Term Professorship, 2017-2019.
- 34) University Scholars Program Grant (advising **Pedro Otálora**), University of Florida, "Political Participation of Native-Born and Naturalized Citizens in Miami-Dade." Summer/Fall 2017.
- 33) Ruben Askew Scholar Award (advising Wendy Serra), Bob Graham Center, University of Florida, Summer 2016.
- 32) Emerging Scholars Program (advising **Anthony Rychkov**), University of Florida, "The Timing of Voter Registration and Turnout," Spring/Summer 2016.
- 31) University Scholars Program Grant (advising **Casey Ste. Claire**), University of Florida, College of Liberal Arts & Sciences, "Reprecincting and Voter Turnout," Fall 2015/Spring 2016.
- 30) University Scholars Program Grant (with Frances Chapman), University of Florida, College of Liberal Arts & Sciences, "Truing or Suppressing the Vote? Private Voter Challenges in Florida," Fall 2013/Spring 2014.
- 29) Best Paper Award presented in 2012 by the APSA Organized Section on State Politics and Policy: "Souls to the Polls: Early Voting in Florida in the Shadow of House Bill 1355," 2013 (with Michael Herron).
- 28) University Scholars Program Grant (with Bryce Freeman), University of Florida, College of Liberal Arts & Sciences, "Impact of Voter Suppression on Political Participation," Spring 2013.
- 27) The William and Flora Hewlett Foundation, "Popular Support and Conditions for the Passage of Ballot Measures," June 2013.
- 26) Advancement Project, "Congestion at the Polls: A Study of Florida Precincts in the 2012 General Election," June 2013 (with Michael Herron).
- 25) Co-Principal Investigator, "Trans-Saharan Professionals Program," United States Department of State, Bureau of Educational and Cultural Affairs, S-ECAPPE-10-GR-231 (DT), September 2010-August 2012.
- 24) University of Florida Research Foundation (UFRF) Professor, 2010-2012 (annual salary supplement and research funding).
- 23) Co-Principal Investigator, *American Political Science Association* Workshop on Elections and Democracy, University of Ghana at Legon, Ghana, Summer 2009, funded by Mellon Foundation.
- 22) Best Paper Award presented in 2006 by the APSA Organized Section on State Politics and Policy: "Do State-Level Ballot Measures Affect Presidential Elections?" (with Caroline Tolbert and Todd Donovan).
- 21) Research Grant, "Did Gay Marriage Re-Elect George W. Bush?" University of Florida, College of Liberal Arts & Sciences, Summer 2005.

- 20) University Scholars Program Grant (with Kirsten Soltis), University of Florida, College of Liberal Arts & Sciences, "Money and the Member: An Analysis of Fundraising in Congressional Politics in the Post-Campaign Finance Reform Era," Fall 2005.
- 19) Research Grant, "Mobilization Effects of Ballot Measures in Colorado, Florida, Ohio, and Nevada," Ballot Initiative Strategy Center, Fall 2004.
- 18) Research Grant, "Mobilization Effects of Gay Marriage Ban in Ohio," Ballot Initiative Strategy Center, Fall 2004.
- 17) Research and Travel Grant, *Pew Charitable Trusts*, "Veiled Political Actors," Daniel Lowenstein, Kim Alexander, Robert Stern, Tracy Western, and Joseph Doherty, Principle Investigators, Fall 2003.
- 16) Travel Grant, *College of Liberal Arts and Sciences*, University of Florida, "Initiative and Referendum Campaigns," Fall 2003.
- 15) Research Grant, *Pew Charitable Trusts*, "Outside Money: Colorado's 7th Congressional District," David Magleby, Principal Investigator, Fall 2002.
- 14) Faculty Research Fund, "Ballot Initiatives during the Progressive Era," *University of Denver*, Fall 2002.
- 13) Research Grant, *American Political Science Association*, "Ballot Initiatives during the Progressive Era: Evidence from California, 1912-1920," Summer 2002.
- 12) Research Grant, *Colorado Endowment for the Humanities*, "The 'Golden Era' of Direct Democracy? Colorado's Election of 1912," (R017-0300-010) (with Joseph Lubinski), Spring 2000.
- 11) Partners in Scholarship: 2000 Winter Quarter Project Proposal, "The 'Golden Era' of Direct Democracy? Evidence from the Colorado Election of 1912," *University of Denver*, with Joseph Lubinski).
- 10) Rosenberry Fund, "Direct Democracy in Colorado," *University of Denver*, Spring 1999.
- 9) Best Paper, Charles Redd Politics of the American West, "Howard Jarvis, Populist Entrepreneur: Reevaluating Causes of Proposition 13," *Western Political Science Association*, Los Angeles, March 20, 1998.
- 8) Faculty Research Fund, "Ballot Warriors: Citizen Initiatives in the 1990s," *University of Denver*, Fall 1997.
- 7) Partners in Scholarship: 1997 Winter Quarter Project Proposal, "The Process of Direct Democracy: Parental Rights Amendment," *University of Denver*, with Robert Herrington, Winter 1997.
- 6) Faculty Research Fund, "Faux Populism: Populist Entrepreneurs and Populist Moments," *University of Denver*, Fall 1996.
- 5) International Small Grants, "Election Monitor: Ghana Presidential and Parliamentary 1996 Elections," Office of Internationalization, *University of Denver*, Fall 1996.
- 4) Faculty Research Fund, "Populist Prophets and the Mass Appeal of Direct Democracy," Program Support Services, *University of Denver*, Spring 1995.
- 3) Research Grant, Institute for Public Affairs, *West Virginia University*, Summer 1994.
- 2) Senate Research Travel Grant, Faculty Development Fund, *West Virginia University*, Fall 1994.
- 1) Research Travel Grant, Robert LaFollette Institute of Public Affairs, *University of Wisconsin-Madison*, Fall 1992.

TECHNICAL REPORTS & OTHER SCHOLARLY PUBLICATIONS

- 27) Daniel A. Smith, "Audit of Assignment of Registered Voters to New, Court-Ordered House of Delegates Districts," Virginia Secretary of State (with Michael P. McDonald), Spring 2019.
- 26) Daniel A. Smith, "Vote-by-Mail Ballots Cast in Florida," A Report Commissioned by *ACLU Florida*, August 2018.
- 25) Michael C. Herron and Daniel A. Smith, "Congestion at the Polls: A Study of Florida Precincts in the 2012 General Election," A Report Commissioned by Advancement Project, Washington, DC, June 24, 2013. Available: <http://www.advancementproject.org/news/entry/voters-of-color-faced-longest-wait-times-in-florida>.
- 24) Michael C. Herron and Daniel A. Smith, "Florida's 2012 General Election under HB 1355: Early Voting, Provisional Ballots, and Absentee Ballots," League of Women Voters Florida, January 2013.
- 23) Daniel A. Smith, "The Re-demarcation and Reapportionment of Parliamentary Constituencies in Ghana," *Ghana Center for Democratic Development (CDD-GHANA)*, Vol. 10 (2): October, 2011. Available: <http://www.cddghana.org/documents/Vol.%2010,%20No.%202.pdf>
- 22) Daniel A. Smith. 2010. "Educative Effects of Direct Democracy: Evidence from the US States," Memorandum requested by the British House of Lords, Constitution Committee, January 4. Available: <http://www.publications.parliament.uk/pa/ld200910/ldselect/ldconst/99/99we14.htm>.
- 21) Daniel A. Smith. 2006. "Money Talks: Ballot Initiative Spending in 2004." *Ballot Initiative Strategy Center*, June. Available: <http://ballot.org>.
- 20) Daniel A. Smith. 2006. "Ballot Initiatives, Tax Issues," in Larry Sabato and Howard Ernst, eds., *Encyclopedia of American Political Parties and Elections*. New York: Facts on File.
- 19) Daniel A. Smith. 2004. "Direct Democracy," in David Wishart, ed., *Encyclopedia of the Great Plains*. Lincoln: University of Nebraska Press.
- 18) Daniel A. Smith and Caroline J. Tolbert. 2003. "Educated by Initiative," *Campaigns and Elections*, August, p. 31.
- 17) Elizabeth Garrett, and Daniel A. Smith. 2003. "Veiled Political Actors: The Real Threat to Campaign Disclosure Statutes" (July 22). USC Law and Public Policy Research Paper No. 03-13 <http://ssrn.com/abstract=424603>.
- 16) Daniel A. Smith. 2003. "Ballot Initiatives and the (Sub)Urban/Rural Divide in Colorado," in Daphne T. Greenwood, ed., *Colorado's Future: Meeting the Needs of a Changing State*. Colorado Springs: Center for Colorado Policy Studies.
- 15) Daniel A. Smith. 2003. "The Colorado 7th Congressional District," in David B. Magleby and Quin Monson, eds., *The Last Hurrah?* Provo, UT: Center for the Study of Elections and Democracy.

- 14) Stan Elofson, Daniel A. Smith, Jennifer Berg, and Joseph Lubinski. 2002. "A Listing of Statewide Initiated and Referred Ballot Proposals in Colorado, 1912-2001." Issue Brief No. 02-02. (March 5) *Colorado Legislative Council*, Colorado General Assembly, Denver. [Revised Edition].
- 13) Daniel A. Smith. 2001. "Howard Jarvis' Legacy? An Assessment of Antitax Initiatives in the American States." *State Tax Notes* 22: 10 (December): 753-764.
- 12) Daniel A. Smith. 2001. "The Structural Underpinnings of Ghana's December 2000 Elections." Critical Perspectives, No. 6. *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana.
- 11) Daniel A. Smith, Jonathan Temin, and Kwaku Nuamah. 2001. "Media Coverage of the 2000 Election: A Report on the Media Coverage of Election 2000 (May 2000-January 2001)." Research Paper, No. 8. *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana.
- 10) Daniel A. Smith. 2000. "Election 2000: Debating the Issues?" Briefing Paper, Volume 2, Number 4, *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana.
- 9) Daniel A. Smith. 2000. "Growth and Transportation Ballot Measures in Colorado," in Floyd Ciruli, ed., *Moving Visions: Next Steps Toward Growing Smart*. Denver: Gates Family Foundation.
- 8) Stan Elofson, Daniel A. Smith, Jennifer Berg, and Joseph Lubinski. 2000. "A Listing of Statewide Initiated and Referred Ballot Proposals in Colorado, 1912-2000." Issue Brief No. 8. (December) *Colorado Legislative Council*, Colorado General Assembly, Denver. [updated 2002, 2004, 2006, 2008]
- 7) Daniel A. Smith. 2000. "Progressives and the Initiative Process: A Call to Arms." *Ballot Initiative Strategy Center (BISC)*.
- 6) Daniel A. Smith and Joseph Lubinski. 2000. "Sponsoring 'Counter-Majoritarian' Bills in Colorado." *Ag Journal*. (September): 12-13.
- 5) Daniel A. Smith. 1998. "Unmasking the Tax Crusaders." *State Government News*. 41:2 (March): 18-21.
- 4) Daniel A. Smith. 1997. "Howard Jarvis, Populist Entrepreneur," Working Paper, 97-8, Institute of Governmental Studies, *University of California - Berkeley*.
- 3) Daniel A. Smith. 1995. "The West Virginia Labor-Management Advisory Council," *The West Virginia Public Affairs Reporter*. 12:4 (Winter): 1-11.
- 2) Daniel A. Smith. 1992. "A Tale of Five Cities," *The La Follette Policy Report*. 5 (Fall): 18-21.
- 1) Daniel A. Smith. 1991. "Emerging Skill Needs in the Wisconsin Non-Automotive Engines Industry," Commissioned by the Wisconsin Board of Vocational, Technical, and Adult Education, Working Paper, *Center on Wisconsin Strategy*, University of Wisconsin-Madison.

OUTSIDE ACTIVITIES: BOARDS/EXPERT WITNESS/POLITICAL CONSULTANT/INVITED TESTIMONY/MISCELLANEOUS

President, ElectionSmith www.electionsmith.com (S-Corp) 2006-
 Board Member, Ballot Initiative Strategy Center (BISC) www.ballot.org 1999-2019.
 Board Member, Common Cause Florida <https://www.commoncause.org/florida/> 2014-
 Board President, 300 Club <https://300clubswimandtennis.com/> 2018-

Domestic Consulting

Expert (written declarations), *Gruver, et al. v. Barton, et al.* Case 1:19-cv-00121-MW-GRJ (US District Court for the Northern District of Florida). [Provided written reports and deposed for plaintiffs analyzing records on the impact of SB7066 on Florida residents with felony convictions and outstanding LFOs], 2019-.

Consultant, Andrew Goodman Foundation [Analysis of on-campus early voting in Florida], 2019-.

Consultant, ACLU-Florida [Data analysis of Ex-Felons in Florida], 2019-.

Expert (written declaration), *DNC Services Corporation et al. v. Lee et al.* Case 4:18-cv-00524-MW-CAS (US District Court for the Northern District of Florida) [Provided written report for plaintiffs on Vote by Mail ballots in Florida], 2019-.

Expert (written declaration), *MOVE Texas Civic Fund, et al. v. Whiteley, et al.* Case 3:19-cv-00041 (US District Court for the Southern District of Texas) [Provided written reports for plaintiffs on number of naturalized citizens in Texas], 2019.

Expert (written declarations), *Fair Fight Action v. Crittenden*, Case No. 1:18-cv-05391 (US District Court for the Northern District of Georgia) [Retained by plaintiffs to analyze data related to Georgia's election laws], 2018-.

Expert, *The Democratic Party of Georgia v. Crittenden*, Case No. 1:18-cv-05443 (US District Court for the Northern District of Georgia) [Retained by plaintiffs to analyze data related to the 2018 gubernatorial election], 2018.

Consultant, ACLU-Florida [Provided analysis of Vote by Mail ballots in Florida], 2018.

Expert, *Judicial Watch, Inc., Election Integrity Project California, Inc., et al. v. Dean C. Logan, et al.* Case No. 2:17-cv-08948-R-SK (US District Court for the Central District of California, Western Division). [Retained by defendants (California Department of Justice) to analyze data concerning inactive voters], 2018.

Expert (written declaration), *Rivera v. Deltzner*, Case 1:18-cv-61474 (US District Court for the Northern District of Florida) [Provided written report for plaintiffs on Puerto Rican population and registered voters in Florida], 2018.

Expert, *Thompson et al. v. Merrill*, Case No. 2: 16-cv-783 (US District Court for the Middle District of Alabama) [Retained by plaintiffs to analyze data related to the discriminatory impact of Alabama's felony disenfranchisement scheme over time], 2018-.

- Expert (written affidavit), *League of Women Voters of Florida, Inc., et al. v. Detzner*, Case No. 4:18-cv-00251-MW-CAS (US District Court for the Northern District of Florida) [Provided written report for plaintiffs (LWV) to extend early voting in Florida], 2018.
- Expert (written affidavit), *Ohio A. Philip Randolph Institute, et al. v. Secretary of State, Jon Husted*, Case 2:16-cv-00303 (US District Court for the Southern District of Ohio, Eastern Division) [Provided written report and deposed for plaintiffs (APRI, ACLU OH, Demos) to reinstate registered voters removed by Ohio's "Supplemental Process"], 2017. [Decision, *Husted v. APRI*, by SCOTUS, July 11, 2018].
- Expert (written affidavits), *Bellito & ACRU v. Snipes*, Case 4:16-cv-61474 (US District Court for the Southern District of Florida, Ft. Lauderdale Division) [Provided written expert reports and deposed for intervenors (SEIU, Project Vote, Demos) to defend NVRA compliance by Broward Supervisor of Elections, 2017; testified at trial].
- Consultant, ACLU, Georgia [Provided analysis of CVAP, VAP, and registered voters in Irwin County, Georgia], 2017.
- Consultant, ACLU, Georgia [Provided analysis of proposed redistricting changes to the Georgia House of Representatives by the Georgia state legislature], 2017.
- Expert (written affidavit), *Florida Democratic Party v. Scott*, Case 4:16-cv-00626 (US District Court for the Northern District of Florida) [Provided written expert report for plaintiff-intervenors (Mi Familia Vota Education Fund) to extend voter registration deadline in Florida due to Hurricane Matthew], 2016.
- Consultant, ACLU, Georgia [Provided analysis of registration deadline in Georgia due to Hurricane Matthew], 2016.
- Expert (written affidavit), *Florida Democratic Party v. Detzner*, Case 4:16-cv-00607 (US District Court for the Northern District of Florida) [Provided written empirical analysis for plaintiff on vote-by-mail ballots cast in Florida], 2016.
- Advisor, "Mad As Hell: Howard Jarvis and the Birth of the Tax Revolt," Documentary Film by Jason Cohn, Bread and Butter Films [Academic Advisor on Jarvis and antecedents of Prop. 13], 2011-16.
- Advisor, "Rigged," Documentary Film by Natasha del Torro, Fusion TV (Naked Truth), 2016. [Winner of the Robert F. Kennedy Journalism Award for Best Documentary]. Available: <http://tv.fusion.net/story/352548/naked-truth-rigged-elections-documentary/>.
- Advisor, "Voting: Last Week Tonight with John Oliver," HBO, February 14, 2016. Available: <https://www.youtube.com/watch?v=rHFOWlMCdto>.
- Expert (written affidavit), *Frank v. Walker*, Case 16-3003, 16-3052 (US Court of Appeals for the Seventh Circuit) [Provided written empirical analysis for plaintiffs (ACLU) on voter ID and turnout], 2015.
- Expert (consultant), *Greater Birmingham Ministries v. Alabama*, Case 2:15-cv-02193-LSC (US District Court for the Northern District of Alabama, Southern Division) [Provided oral empirical analysis for plaintiffs (N.A.A.C.P. LDEF) on use of absentee ballots], 2015.
- Consultant, America Votes [Provided demographic shift of registered voters analysis for state of Florida], 2015.
- Expert (written affidavits), *N.A.A.C.P., et al. v. Husted, et al.*, 2:14 cv-00404 (US District Court for the Southern District of Ohio) [Provided written empirical analysis and deposed for plaintiffs (ACLU) on early in-person absentee voting in Ohio], 2014.
- Expert (written affidavit), *John Sullivan, et al. v. Marni Lin Saviki, et al.*, 2013-CA-003122 (20th Judicial Circuit (Lee County, FL) [Provided written empirical analysis and deposed on early, absentee, and Election Day vote totals in the November 5, 2013 Cape Coral mayoral election], 2014.
- Expert (written affidavit), *Gateway Retail Center, LLC v. City of Jacksonville, Florida*, 3:13-cv1040-J-TJC-JRK (US District Court for the Middle District of Florida) [Provided empirical analysis for Gateway Retail Center's attorneys of African American voting during early voting in Duval County in the 2012 General Election], 2013.
- Expert (written affidavits), *Arcia, et al. v. Detzner*, 1:12-cv-22282-WJZ (US District Court for the Southern District of Florida) [Provided empirical analysis for Arcia's attorneys of the Florida Department of State's various lists of "potential non-citizens"], 2012. [*Arcia, et al. v. Florida Secretary of State* (Defendant-Appellee) and *Garcia, et al.* (Intervenor Defendants), 12-15738 (Appealed in 11th Circuit, from the United States District Court for the Southern District of Florida), 2014.
- Elections Analyst, WUFT (TV and Radio), Election Night Coverage, November 6, 2012.
- Advisor, "Voters in America: Who Counts?" CNN Documentary Investigation, October 14, 2012. <http://cnnpressroom.blogs.cnn.com/2012/10/19/voters-in-america-who-counts-joejohnscnn-investigates-voter-suppression-voter-fraud/>.
- Expert (written affidavit), *Brown v. Detzner*, 3:12-cv-00852 (US District Court for the Middle District of Florida) [Provided empirical analysis for Brown's attorneys of minority early voting in Duval County during the 2008 and 2010 general elections and the 2011 Jacksonville mayoral race], 2012.
- Expert (written affidavits), *Romo v. Scott*, No. 2012-CA-000412 (Fla. Cir. Ct., Leon County). [Provided empirical analyses and deposed for Coalition's attorneys of new Congressional redistricting maps submitted and adopted by the Florida legislature as well as alternative maps submitted by the The League of Women Voters of Florida, the National Council of La Raza, and Common Cause Florida], 2012-14.
- Pro Bono* Consultant (written work product), *League of Women Voters of FL v. Browning*, N.D. Fla. (4:11-cv-00628). [Provided empirical analysis for LWV's attorneys (Brennan Center, New York University), assessing the impact of Florida's "third party organization" voter registration requirements], 2012.
- Pro Bono* Consultant (written work product), Hillsborough Hispanic Coalition, Tampa, Florida, 2012. [Provided empirical analysis of the likely racial/ethnic impact of the redistricting maps adopted by the Hillsborough County

Commission, and provided alternative maps to be submitted by the Hillsborough Hispanic Coalition, in anticipation of federal litigation], 2012.

Invited Testimony, U.S. Senate, Judiciary Committee, Subcommittee on the Constitution, Civil Rights and Human Rights, “New State Voting Laws II: Protecting the Right to Vote in the Sunshine State,” January 2012.

Expert (written affidavit), *Worley v. Detzner*, U.S. District Court, N.D. Fla (4:10-cv-00423-RH-WCS). [Provided expert opinion to Florida Secretary of State to help defend Election code provisions concerning the reporting, registration, and disclosure requirements applicable to political committees (ballot issues)], 2010.

Expert (written affidavit), *Citizens Against Slots v. PPE Casino*, 999 A.2d 181 (2010) 415 Md. 117. [Provided empirical analysis of the validity rates of the signatures submitted by Citizens Against Slots for a county popular referendum], 2010.

Expert (written affidavit), *The Independence Institute, et. al. v. Bernie Buescher* 1:2010-cv-00609. (US 10th Circuit) [Provided empirical analysis for the Office of the Colorado Attorney General to defend Secretary of State’s enforcement of public disclosure laws for ballot issue committees], 2009-2010.

Lead Author, “Direct Democracy Scholars” Amicus Brief, *Doe v. Reed*, 132 S. Ct. 449. [Provided empirical evidence that public disclosure of signatures on ballot measures serves sufficiently important governmental interests in order to prevent fraudulent signature gathering activities, to limit the deceptive solicitation of signatures, and to provide information to voters about ballot measures], 2010.

Expert (written affidavit), *Dallman, et al. v. William Ritter and Rich L. Gonzales and Daniel Ritchie, et al* 09SA224 (Colorado Supreme Court) [Provided empirical analysis for Ritter, Gonzales, and Ritchie of analysis of campaign financing of ballot measures], 2009-10.

Expert (written affidavit), *Sampson v. Buescher*, 08-1389, 08-1415 (US 10th Circuit) [Provided empirical analysis refuting claims of barriers to participation in ballot issue campaigns for Office of the Colorado Attorney General, defending Secretary of State’s enforcement of disclosure laws], 2007-10.

Consultant, *Trust the Voters*, Tallahassee, 2006.

Consultant, *The Washington State Patrol Troopers Association* [Conducted empirical analysis for State Patrol Troopers of the validity of signatures collected on ballot issue campaign], 2006.

Expert (written affidavit), *The City of Winter Springs, FL v. Seminole County*, City of Winter Springs, 2004.

Expert (written affidavit), *California Pro-Life Council, Inc. v. Karen Getman, et al.* 328 F.3d 1088, 1101 (US 9th Cir) [Provided empirical analysis for the Office of the California Attorney General on veiled political actors in California ballot measure campaigns], 2004-05.

Expert (written affidavit), *Colorado Right to Life Committee, Inc. v. Donetta Davidson* 395 F.Supp.2d 1001 (US 10th Circuit) [Provided empirical analysis of broadcasted television and direct mail ads in Colorado between 1999-2003 for the Office of the Colorado Attorney General], 2004-05.

Invited Testimony, Ballot Initiative Reform, Florida Legislature, 2002; 2003-05.

Invited Testimony Witness, Ballot Initiative Reform, Colorado Legislature, 1999-2000.

Consultant (*pro bono*), *Ad Hoc Committee to Defend Health Care*, Denver, CO, 1998-2000.

International Consulting

Consultant, National Democratic Institute (NDI), Ghana, 2013.

Invited Written Testimony, *British House of Lords*, Constitution Committee (Direct Democracy), 2010.

Consultant, *Institute of International Education (IIE)*, New York, 2002-04.

Consultant, *Coalition of Domestic Elections Observers (CODEO)*, Accra, Ghana, 2000-01.

Consultant, *International Foundation for Election Systems (IFES)*, Washington, DC, 1999-2001.

Consultant, *International Student Exchange Program (ISEP)*, Washington, DC, 1995-97.

BOOK REVIEWS & REVIEW ESSAYS

- 9) Daniel A. Smith. 2008. Review of Dorothy Holland, Donald M. Nonini, Catherine Lutz, Lesley Bartlett, Marla Frederick-McGlathery, Thaddeus C. Guldbradsen, and Enrique G. Murillo, Jr., *Local Democracy Under Siege: Activism, Public Interests, and Private Politics*, *Perspectives on Politics* 6: 386-86.
- 8) Daniel A. Smith. 2006. Review of Stephen Nicholson, *Voting the Agenda: Candidates, Elections, and Ballot Propositions*, *Political Science Quarterly* 120: 695-697.
- 7) Daniel A. Smith. 2005. Review of John Matsusaka, *For the Many or the Few? The Initiative, Public Policy, and American Democracy*, *Perspectives on Politics* 3: 646-47.
- 6) Daniel A. Smith. 2000. Review of Shaun Bowler and Todd Donovan, *Demanding Choices: Opinion, Voting, and Direct Democracy*, *Social Science Quarterly* 81: 1104-1106.
- 5) Daniel A. Smith. 1999. Review of Shaun Bowler, Todd Donovan, Caroline Tolbert, eds., *Citizens as Legislators*, *American Political Science Review* 93: 446-447.
- 4) Daniel A. Smith. 1998. Review of David Ryden, *Representation in Crisis*, *Politics and Policy* 26: 514-515.
- 3) Daniel A. Smith. 1998. Review of Grant Reecher and Joseph Cammarano, eds., *Education for Citizenship*, *H-Pol, H-Net*. (February).
- 2) Daniel A. Smith. 1997. Review Essay of William S. K. Reno, *Corruption and State Politics in Sierra Leone*, and Sahr John Kpundeh, *Politics and Corruption in Africa*, *Africa Today* 44: 362-365.

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- 1) Daniel A. Smith. 1996. Review of Stephen Lowe, *The Kid on the Sandlot: Congress and Professional Sports, 1910-1992*, *Sport History Review* 27: 90-92.

TEACHING GRANTS, HONORS, AND AWARDS

Anderson Scholar Award, College of Liberal Arts and Sciences, University of Florida, 2011; 2015; 2016; 2017
 Political Science Board of Advisors, "Outstanding Professor Award," *University of Florida*, Spring 2008.
 Center for Teaching and Learning Technology Grant, "Introduction to American Politics: Web-Based Interactive Learning," *University of Denver*, Spring, 1997.
 Faculty Appreciation Award, Learning Effectiveness Program, *University of Denver*, April 1997.
 Curriculum Diversity Grant, "A Theater History: The Racial and Class Politics of US Drama from Colonization Forward," *University of Denver*, Winter, 1997.
 CORE Development Grant, "Drama of Politics/Politics of Drama," *University of Denver*, Summer, 1996.
 International Small Grants, "Summer Student Study Abroad Program: University of Ghana at Legon," Office of Internationalization, *University of Denver*, Spring, 1995.
 International Small Grants, "Ghana Study Abroad Program," Office of Internationalization, *University of Denver*, Spring, 1995.

NEWSPAPER OP-EDS, INVITED BLOG POSTS & LETTERS TO THE EDITOR

Op-Ed, "Your voting habits may depend on when you registered to vote," *Salon*, September 24, 2019. [Originally appeared in *the Conversation*] https://www.salon.com/2019/09/24/your-voting-habits-may-depend-on-when-you-registered-to-vote_partner/ (with Enrijeta Shino).
 Invited Blog Post, "Who Votes Provisionally and Why? A Look at North Carolina's 2016 General Election," MIT Election Science Data Lab, May 2, 2018. <https://medium.com/mit-election-lab/who-votes-provisionally-and-why-4dd413c02fa9> (with Lia Merivaki).
 Op-Ed, "Do we have a right not to vote? The Supreme Court suggests we don't," *NY Daily News*, June 12, 2018 (with Michael C. Herron).
 Op-Ed, "If more states start using Ohio's system, how many voters will be purged?" *The Washington Post* (Monkey Cage), June 17, 2018 (with Michael C. Herron).
 Op-Ed, "2-to-1 Registration Advantage for Democrats Among 440K New Hispanic Voters In Florida," *Huffington Post*, October 7, 2016. http://www.huffingtonpost.com/latino-decisions/2-to-1-registration-advan_b_12385884.html.
 Op-Ed, "The Battle Over 'One Person, One Vote,' Has Just Begun," *The American Prospect*, April 18, 2016. (with Carl Klarner) Available: <http://prospect.org/article/one-person-one-vote-battle-just-starting>
 Invited Blog Post, "Party competition is the primary driver of the recent increase in restrictive voter ID laws in the American states," London School of Economics, U.S. Politics and Policy, November 12, 2014. <http://blogs.lse.ac.uk/usappblog/2014/11/12/party-competition-is-the-primary-driver-of-the-recent-increase-in-restrictive-voter-id-laws-in-the-american-states/>
 Op-Ed, "Rejected Ballots in Florida," *Florida Voices*, November 4, 2012 (with Michael Herron).
 Op-Ed, "High ballot rejection rates should worry Florida voters," *Tampa Bay Times*, October 28, 2012 (with Michael Herron).
 Op-Ed, "Voters need to push back against corporate cash," *St. Petersburg Times*, July 13, 2010.
 Op-Ed, "A chance for Floridians to redraw rigged districts," *St. Petersburg Times*, November 25, 2009.
 Op-Ed, "Lawmakers don't trust voters with the constitution," *Gainesville Sun*, October 21, 2006.
 Op-Ed, "Jeb Bush's secret-squirrel hunt? Rocky, that's just a bunch of Bullwinkle," *Orlando Sentinel*, February 23, 2006.
 Op-Ed, "Colorado: Independent of Whom?" Ballot Initiative Strategy Center, *Ballot Blog*, August 29, 2005.
 Op-Ed, "Stop Political Fund-Raising Arm," *Gainesville Sun*, April 25, 2004 (with Nicole M. James).
 Op-Ed, "Committees Hold the Secret to Campaign Financing," *St. Petersburg Times*, April 10, 2004 (with Nicole M. James).
 Letter, "Reform Ballot Initiative and Preserve the People's Power," *Miami Herald*, February 29, 2004.
 Op-Ed, "No: The Rich Have Taken Over," *Denver Post*, December 1, 2002.
 Op-Ed, "The Millionaire's Club: Why Leave Ballot Initiatives to the Rich?" *Denver Post*, August 18, 2002.
 Op-Ed, "The Political Consequence of 'Praying for Peace,'" *The Crusading Guide* [Accra, Ghana], 12-18 October, 2000.
 Letter, "Book's [Democracy Derailed by David Broder] premise is problematic," *Denver Post*, May 28, 2000.
 Letter, "Initiative process ignores rural voices," *Denver Rocky Mountain News*, March 15, 2000.
 Op-Ed, "Progressives need to show initiative on ballot signatures," *Denver Post*, January 13, 2000.
 Op-Ed, "Colorado should put campaign finance data on the Internet," *Denver Post*, November 4, 1998 (with Richard Braunstein).
 Letter, "Follow the Money," *Washington Post*, October 12, 1998.
 Op-Ed, "Voters behind rule," *Denver Post*, June 21, 1998.
 Op-Ed, "Founders crafted safeguards against popular excesses," *Denver Post*, May 21, 1995.

CONFERENCE PAPER PRESENTATIONS

- “Voter Registration after Parkland and Early Voting on College Campuses,” American Political Science Association, Washington, DC, August 28-September 1, 2019 (with Enrijeta Shino).
- “Did Ballot Design Oust a US Senator? A Study of the 2018 Election in Florida,” American Political Science Association, Washington, DC, August 28-September 1, 2019 (with Michael C. Herron & Michael Martinez).
- “Barriers to Registering Returning Citizens in Florida,” American Political Science Association, Washington, DC, August 28-September 1, 2019.
- “Ballot Design, Voter Intentions, and Representation: A Study of the 2018 Midterm Election in Florida,” Election Sciences, Reform, and Administration, University of Pennsylvania, July 10-12, 201 (with Michael C. Herron & Michael Martinez).
- “Mobilizing the Youth Vote? Early Voting on College Campuses in Florida,” 19th State Politics and Policy Conference at the University of Maryland, May 30-June 1, 2019 (with Enrijeta Shino).
- “Did Ballot-Design Oust an Incumbent Senator? A Study of the 2018 Midterm Election in Florida,” Midwest Political Science Association Annual Meeting, April 4-7, 2019, Chicago (with Michael Herron and Michael Martinez).
- “Election Administration and Public Records Responsiveness,” Midwest Political Science Association Annual Meeting, April 4-7, 2019, Chicago (with Enrijeta Shino, Anna Baringer, Justin Eichermuller, and William Zelin).
- “Estimating the Differential Effects of Purging Inactive Registered Voters,” American Political Science Association, Boston MA, August 28-September 1, 2018 (with Michael C. Herron).
- “Estimating the Differential Effects of Purging Inactive Registered Voters,” Election Sciences, Reform, and Administration, University of Wisconsin-Madison, July 26-27, 2018 (with Michael C. Herron).
- “Exact-Match Voter List Verification and Turnout,” 18th State Politics and Policy Conference at Penn State, June 7-9, 2018 (with Michael P. McDonald, Pedro Otálora, and Enrijeta Shino).
- “Estimating the Differential Effects of Purging Inactive Registered Voters,” at the 18th State Politics and Policy Conference at Penn State, June 7-9, 2018 (with Michael C. Herron).
- “Who are Provisional Voters? Evidence from North Carolina,” Midwest Political Science Association Annual Meeting, April 5-8, 2018, Chicago (with Lia Merivaki).
- “A History and Analysis of Black Representation in Southern State Legislatures,” Symposium on Southern Politics, The Citadel, Charleston, South Carolina, March 1-2, 2018 (with Charles S. Bullock III, William D. Hicks, M. V. (Trey) Hood III, Seth C. McKee, and Adam Myers).
- “Who are Provisional Voters? Evidence from North Carolina,” Southern Political Science Association Annual Meeting, January 4-7, 2018, New Orleans (with Lia Merivaki).
- “Naturalizing the Party: Party Registration and Voter Turnout of Foreign-Born Citizens,” State of the Party: 2016 & Beyond, November 10, 2017, Ray C. Bliss Institute of Applied Politics, University of Akron, Ohio (with Lidia Kurganova).
- “The Erosion of Liberal Democracy: Dissensus and Ideology in America,” American Political Science Association, San Francisco, August 31-September 3, 2017 (with William D. Hicks and Seth C. McKee).
- “Early Voting Availability and Turnout in Florida and North Carolina,” American Political Science Association, San Francisco, August 31-September 3, 2017 (with David Cottrell and Michael C. Herron).
- “Determinants of County Level Voter Turnout, 1970-2016,” American Political Science Association, San Francisco, August 31-September 3, 2017 (with Carl Klarner, Brian Amos, and Michael P. McDonald).
- “Waiting to Vote: Using EViD Data to Assess the Electoral Consequences of Long Voting Lines,” Midwest Political Science Association annual meetings, April 6-9, 2017, Chicago (with David Cottrell and Michael C. Herron).
- “Timing the Habit: Voter Registration and Turnout in the American States,” American Political Science Association, Philadelphia, September 1-4, 2016 (with Enrijeta Shino).
- “Revisiting Majority-Minority Districts and Black Representation,” American Political Science Association, Philadelphia, September 1-4, 2016 (with Seth C. McKee, William D. Hicks; Carl E. Klarner).
- “Defending Democracy: How Political Scientists Are Engaging in the Fight over Voting Rights (and Why You and Your Dept. Should too),” APSA Roundtable with Theda Skocpol, Presented by the Scholars Strategy Network, American Political Science Association, Philadelphia, September 1-4, 2016.
- “Timing the Habit: Voter Registration and Turnout in the American States,” State Politics and Policy Conference, University of Texas at Dallas, May 19-21, 2016 (with Enrijeta Shino).
- “Revisiting Majority-Minority Districts and Descriptive Representation,” State Politics and Policy Conference, University of Texas at Dallas, May 19-21, 2016 (with Seth C. McKee, William D. Hicks; Carl E. Klarner).
- “Purging Participation? Eligibility Challenges, Psychological Reactance, and the Decision to Vote,” Midwest Political Science Association annual meetings, April 7-10, 2016, Chicago (with Daniel Biggers and Bryce Freeman).
- “Missing Black Men and Representation in American Political Institutions,” Midwest Political Science Association annual meetings, April 7-10, 2016, Chicago (with David Cottrell, Michael Herron, and Javier Rodriguez).
- “Early Voting Effects on Pre-Election Poll Estimates,” Southern Political Science Association, January 7-10, 2016, San Juan, Puerto Rico (with Michael P. McDonald, Michael D. Martinez, and Chris McCarty).
- “Your Ballot’s in the Mail: The Effects of Unsolicited Absentee Ballots,” American Political Science Association, San Francisco, September 1-4, 2015 (with Michael Martinez).
- “A Reassessment of the Turnout Effects in of Election Reforms in the United States,” American Political Science Association, San Francisco, September 1-4, 2015 (with Michael P. McDonald and Enrijeta Shino).

- “Reprecincting and Voting Behavior,” American Political Science Association, San Francisco, September 1-4, 2015 (with Brian Amos and Casey Ste. Claire).
- “Looks Can Be Deceiving: Explaining Support for Online Voter Registration in the American States,” State Politics and Policy Conference, California State University, Sacramento, May 28-30, 2015 (with William Hicks and Seth McKee).
- “Public Opinion on Statewide Ballot Measures,” State Politics and Policy Conference, California State University, Sacramento, May 28-30, 2015 (with Diana Forster).
- “Early Voting Effects on Pre-Election Poll Estimates,” American Association for Public Opinion Research Annual Conference, May 14-17, 2015, Hollywood, Florida (with Michael P. McDonald, Michael D. Martinez, and Chris McCarty).
- “Dumbing Down the Electorate? Assessing the Political Knowledge of Early Voters,” Midwest Political Science Association annual meetings, April 15-19, 2015, Chicago (with Enrijeta Shino).
- “Race, Shelby County, and the Voter Information Verification Act in North Carolina,” American Political Science Association, Washington, DC, August 27-31, 2014 (with Michael C. Herron).
- “Who Signs? Ballot Petition Signatures as Political Participation,” American Political Science Association, Washington, DC, August 27-31, 2014 (with Diana Forster and Brian Amos).
- “Race, Shelby County, and the Voter Information Verification Act in North Carolina,” State Politics and Policy Conference, Indiana University, Bloomington, IN, May 15-17, 2014 (with Michael C. Herron).
- “The Effects of Spatial Proximity on Voting,” State Politics and Policy Conference, Indiana University, Bloomington, IN, May 15-17, 2014 (with Kenton Ngo).
- “Race, Shelby County, and the Voter Information Verification Act in North Carolina,” Midwest Political Science Association Conference, Chicago, April 3-6, 2014 (with Michael C. Herron).
- “Beyond Regulatory Interpretation: The Demand and Supply of Provisional Ballots in Florida,” Symposium on Regulation in the U.S. States, DeVoe Center, Florida State University, Tallahassee, February 21, 2014 (with Lia Merivaki).
- “Evolution of an Issue: Voter ID Laws in the American States,” American Political Science Association Conference, Chicago, August 28-September 2, 2013 (with Seth McKee, William Hicks, and Mitch Sellers).
- “Closing the Door on Democracy”: Early Voting and Participation in Florida,” American Political Science Association Conference, Chicago, August 28-September 2, 2013 (with Michael Herron).
- “Evolution of an Issue: Voter ID Laws in the American States,” State Politics and Policy Quarterly 13th annual conference, University of Iowa, Iowa City, IA, May 23-25, 2013 (with Seth McKee, William Hicks, and Mitch Sellers).
- “Early Voting in Florida in the Aftermath of House Bill 1355,” State Politics and Policy Quarterly 13th annual conference, University of Iowa, Iowa City, IA, May 23-25, 2013 (with Michael Herron).
- “Racial Disparities in Provisional Ballot Rejection Rates,” Midwest Political Science Association Conference, Chicago, April 11-14, 2013 (with Michael Herron).
- “Who Registers? The Differential Impact of Florida’s House Bill 1355 on Voter Registration,” American Political Science Association Conference, New Orleans, August 30-September 2, 2012 (with Michael Herron).
- “The Effect of Polling Locations Upon Vote Choice: A Natural Experiment,” Southern Political Science Association Conference, Orlando, January 3-5, 2013 (with Charles Dahan).
- “Casting and Verifying Provisional Ballots in Florida,” Southern Political Science Association Conference, Orlando, January 3-5, 2013 (with Lia Merivaki).
- “Who Registers? The Differential Impact of Florida’s House Bill 1355 on Voter Registration,” American Political Science Association Conference, New Orleans, August 30-September 2, 2012 (with Michael Herron).
- “The Participatory Impact of Truncating Early Voting in Florida,” State Politics and Policy Quarterly 12th annual conference, Rice University, Houston, TX, February 16 – February 18, 2012 (with Michael Herron).
- “Engaging Potential Voters? The Collection of Valid Signatures on Ballot Petitions,” State Politics and Policy Quarterly 11th annual conference, Dartmouth University, June 4-6, 2011 (with Diana Forster).
- “Pledging Democracy: Congressional Support for a National Advisory Initiative and Referendum,” Southern Political Science Association, January 5-8, 2011, New Orleans (presented by Matthew Harrigan).
- “We Know What You Did Last Summer: The Impact of Petition Signing on Voter Turnout,” State Politics and Policy Quarterly 10th annual conference, University of Illinois, Springfield, June 5-6, 2010 (with Janine Parry and Shayne Henry).
- “Reassessing Direct Democracy and Civic Engagement: A Panel Study of the 2008 Election,” State Politics and Policy Quarterly 10th annual conference, University of Illinois, Springfield, June 5-6, 2010 (with Caroline J. Tolbert and Amanda Frost).
- “Generating Scholarship from Public Service: Media Work, Nonprofit Foundation Service, and Legal Expert Consulting,” State Politics and Policy Quarterly 10th annual conference, University of Illinois, Springfield, June 5-6, 2010.
- “Obama to Blame: Minority Surge Voters and the Ban on Same-Sex Marriage in Florida,” American Political Science Association Conference, Toronto, September 2-5, 2009 (with Stephanie Slade).

- “State Context and Support for a National Referendum in the U.S.” State Politics and Policy Quarterly 9th annual conference, UNC Chapel Hill/Duke University, May 22-23, 2009 (with Caroline J. Tolbert and Amanda Frost).
- “Direct Democracy, Opinion Formation, and Candidate Choice,” American Political Science Association Conference, Boston, August 2008 (with Caroline J. Tolbert).
- “The Legislative Regulation of the Initiative,” State Politics and Policy Quarterly 8th annual conference, Temple University, Philadelphia, PA, May 30-31, 2008.
- “The Initiative to Shirk? The Effects of Ballot Measures on Congressional Voting Behavior,” State Politics and Policy Quarterly 8th annual conference, Temple University, Philadelphia, PA, May 30-31, 2008 (with Josh Huder and Jordan Ragusa).
- “Participatory-Based Trust? Political Trust and Direct Democracy,” American Political Science Association Conference, Chicago, August 2007 (with Caroline J. Tolbert and Daniel Bowen).
- “Giving Power to the People: The Adoption of Direct Democracy in the American States,” Western Political Science Association Conference, Las Vegas, NV, March 7-9, 2007 (with Dustin Fridkin).
- “Mass Support for Redistricting Reform: District and Statewide Representational Winners and Losers,” State Politics and Policy Quarterly 7th annual conference, Austin, TX, February 22-24, 2007 (with Caroline J. Tolbert and John C. Green).
- “Mass Support for Redistricting Reform: Partisanship and Representational Winners and Losers,” American Political Science Association Conference, Philadelphia, August 2006 (with Caroline J. Tolbert and John C. Green).
- “Gaming the System: The Effect of BCRA on State Party Finance Activities.” *The State of the Parties: 2004 & Beyond*. Ray C. Bliss Institute for Applied Politics, Akron, OH, October 2005 (with Susan Orr).
- “Do State-Level Ballot Measures Affect Presidential Elections?” *American Political Science Association Conference*, Washington, D.C., September 1-4, 2005 (with Caroline Tolbert and Todd Donovan).
- “Did Gay Marriage Elect George W. Bush?” *Fifth Annual Conference on State Politics and Policy*, Michigan State University, East Lansing, MI, May 13-14, 2005 (with Todd Donovan, Caroline Tolbert, and Janine Parry).
- “Was Rove Right? Evangelicals and the Impact of Gay Marriage in the 2004 Election.” *Fifth Annual Conference on State Politics and Policy*, Michigan State University, East Lansing, MI, May 13-14, 2005 (with Matt DeSantis and Jason Kassel).
- “Partisanship, Direct Democracy, and Candidate Choice,” *Midwest Political Science Association Conference*, Chicago, IL, April 7-10, 2005 (with Caroline Tolbert and Todd Donovan).
- “Did Gay Marriage Elect the President? Mobilizing Effects of Ballot Measures in the 2004 Election,” *Western Political Science Association Conference*, Oakland, CA, March 17-19, 2005 (with Todd Donovan and Caroline Tolbert).
- “Initiatives and Referendums: The Effects of Direct Democracy on Candidate Elections,” *Conference on What We Know and Don't Know about Campaigns and Elections, Graduate Program in Political Campaigning*, University of Florida, Gainesville, FL, February 24-5, 2005.
- “Was Rove Right? The Partisan Wedge and Turnout Effects of Issue 1, Ohio's 2004 Ballot Initiative to Ban Gay Marriage,” *University of California Center for the Study of Democracy/USC-Caltech Center for the Study of Law and Politics Initiative and Referendum Institute Conference*, Newport Beach, CA, January 14-15, 2005.
- “The Educative Effects of Direct Democracy on Voter Turnout,” *American Political Science Association Conference*, Chicago, IL, September 1-5, 2004 (with Caroline Tolbert).
- “Turning On and Turning Out: Assessing the Indirect Effects of Ballot Measures on Voter Participation,” *Fourth Annual Conference on State Politics and Policy*, Kent State University, Kent, OH, April 30-May 2, 2004 (with Todd Donovan).
- “Veiled Political Actors: The Real Threat to Campaign Finance Disclosure Statutes?” *Midwest Political Science Association Conference*, Chicago, April 14-18, 2004 (with Elizabeth Garrett).
- “Elephants, Umbrellas, and Quarrelling Cocks: Disaggregating Party Identification in Ghana's Fourth Republic,” *Western Political Science Association Conference*, Portland, OR, March 11-13, 2004 (with Kevin Fridy).
- “Gaming the System: State Party Finance Activities in Colorado and Florida,” Southern Political Science Association Conference, New Orleans, January 7-10, 2004.
- “The Educative Effects of Direct Democracy: Ballot Campaigns and Civic Engagement in the American States,” *Societa Italiana di Studi Elettorali (SISE) VIIIth International Conference on Electoral Campaigns (Initiative and Referendum)*, Venice, Italy, December 18-20, 2003.
- “In the Wake of Prop. 13,” *American Political Science Association Conference*, Philadelphia, PA, August 27-31, 2003.
- “Soft Money and Issue Advocacy in the 2002 Colorado 7th Congressional District Election,” *Western Political Science Association Conference*, Denver, CO, March 26-30, 2003.
- “Educated by Initiative: Direct Democracy and Civic Engagement in the American States,” *Third Annual Conference on State Politics and Policy*, University of Arizona, Tucson, AZ, March 14-15, 2003 (with Caroline Tolbert).
- “Ballot Initiatives and the (Sub)Urban/Rural Divide in Colorado,” *Colorado's Future: How Can We Meet the Needs of a Changing State?* University of Colorado at Colorado Springs, September 27, 2002.
- “Representation and the Spatial Dimension of Direct Democracy,” *American Political Science Association Conference*, Boston, MA, August 29-September 1, 2002.
- “Representation and the Spatial Bias of Direct Democracy,” *Second Annual Conference on State Politics and Policy*, University of Wisconsin-Milwaukee, Milwaukee, WI, May 24-25, 2002.

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- "Minority Rights and the Spatial Bias of Direct Democracy," *Southwestern Political Science Association Conference*, New Orleans, LA, March 27-30, 2002.
- "Representation and the Urban Bias of Direct Democracy," *Western Political Science Association Conference*, Long Beach, CA, March 21-24 2002.
- "Ghost Busters: The Structural Underpinnings and Politics of Ghana's 2000 Elections," *African Studies Association Conference*, Houston, TX, November 15-18, 2001.
- "The Effect of Ballot Initiatives on Voter Turnout," *American Political Science Association Conference*, Washington, DC, August 31-September 3, 2000 (with Caroline Tolbert and John Grummel).
- "Campaign Finance of Ballot Initiatives," *National Direct Democracy Conference*, University of Virginia's Center for Governmental Studies, Charlottesville, VA, June 8-9, 2000.
- "Meet the Authors Roundtable: Recent Books on Direct Democracy in the States," *Midwest Political Science Association Conference*, Chicago, April 27-30, 2000.
- "Counter-Majoritarian Bills and Legislative Response of State Ballot Initiatives," *Western Political Science Association Conference*, San Jose, March 24-26, 2000.
- "The Gun Behind the Door Fires Blanks," *Pacific Northwest Political Science Association Conference*, Eugene, OR, October 14-16, 1999.
- "Orange Crush: Mobilization of Bias, Ballot Initiatives, and the Politics of Professional Sports Stadia," *American Political Science Association Conference*, Atlanta, September 2-5, 1999 (with Sure Log).
- "Direct Democracy in Colorado: Limited Information, Tough Choices," A Century of Citizen Lawmaking: Initiative and Referendum in America, *Initiative and Referendum Institute*, Washington, D.C., May 6-8, 1999.
- "The Initiative to Party: The Role of Political Parties in State Ballot Measures," *Western Political Science Association Conference*, Seattle, March 25-28, 1999.
- "Direct Democracy in the Late 20th Century: The Legacy(ies) of Prop. 13," Roundtable, *American Political Science Association Conference*, Boston, September 3-6, 1998.
- "The Legacy of Howard Jarvis and Proposition 13? Tax Limitation Initiatives in 1996," *Western Political Science Association Conference*, Los Angeles, March 19-21, 1998.
- "Special Interests and the Initiative Process in Colorado: The Case of the Parental Rights Amendment" (with Robert Herrington), Poster Session, *American Political Science Association Conference*, Washington, D.C., August 28-31, 1997.
- "Howard Jarvis, Populist Entrepreneur: Reevaluating Causes of Proposition 13," *Western Political Science Association Conference*, Tucson, March 13-15, 1997.
- "Guided Immersion: A Non-Traditional Study Abroad Program at the University of Ghana at Legon," *Midwest Political Science Association Conference*, Chicago, April 10-12, 1997.
- "Exploring the Political Dimension of Privatization: A Tale of Two Cities" (with Kevin Leyden), *Midwest Political Science Association Conference*, Chicago, April 18-20, 1996.
- "Populist Entrepreneur: Douglas Bruce and the Tax Limitation Movement in Colorado," *20th Annual Interdisciplinary Symposium of the Politics and Culture of the Great Plains*, Lincoln, April 11-13, 1996.
- "Faux Populism: Douglas Bruce and the Anti-Tax Moment in Colorado, 1986-1992," *Western Political Science Association Conference*, San Francisco, March 14-16, 1996.
- "Insular Democracy: Advisory Councils and Task Forces in the American States," *Western Political Science Association Conference*, Portland, March 1995.
- "Supporting Labor-Management Initiatives at the State Level: The Case of the West Virginia Labor-Management Advisory Council," *Southern Industrial Relations and Human Resource Conference*, Morgantown, WV, October 1994.
- "State Autonomy, Capacity, and Coherence: Labor-Management Councils in the American States," *Western Political Science Association Conference*, Albuquerque, March 1994.
- "Removing the Pluralist Blinders: Labor-Management Councils and Industrial Policy in the American States," *American Political Science Association Conference*, Chicago, September 1992.
- "You Can't Live with Them...The Emerging Role of Organized Labor in Industrial Policy in the American States," *Midwest Political Science Association Conference*, Chicago, April 1992.
- "It Can Happen Here: Apprenticeship, Workplace-based Learning, and the Affirmative Role of Unions" (with Eric Parker), *Southwestern Political Science Association Conference*, Austin, TX, March 1992.
- "The Affirmative Role of U.S. Unions in Restructuring" (with Eric Parker), *American Sociological Association Conference*, Indianapolis, IN, August 1991.
- "Economic Development Strategy and the Problem of Skills: The Case of Wisconsin's Advanced Metalworking Sector" (with Eric Parker), *American Society for Public Administration Conference*, Cleveland, OH, October 1990.

INVITED TALKS AND OTHER PROFESSIONAL PRESENTATIONS

- Keynote Speaker, "6 Things Every Democrat Should Know about Florida Elections," Democratic Women's Club of Florida, 63rd Annual Convention, Orlando, September 14, 2019.
- Invited Talk, "5 Things Every Floridian Should Know about Florida Elections," *Stetson University*, April 25, 2019.
- Invited Talk, "The 2018 Mid-Term Elections," Graham Center, University of Florida, Gainesville, Florida, November 13, 2018.

Invited Talk, "Is a Blue Wave Coming? The 2018 General Election," FedCon, National Association of Retired Federal Employees Association, Jacksonville, Florida, August 28, 2018.

Invited Talk, "Voting Rights Litigation," ACLU of Florida, 2018 Lawyers Conference, Delray Beach, Florida, September 7, 2018.

Invited Panelist, "The Black Vote: Is it being taken for Granted?" *Collaboratively Woke and The Virginia Leadership Institute*, Downtown Alachua Public Library, Gainesville, Florida, June 23, 2018.

Invited Talk, "Public Records Requests and Analyzing Elections in Florida," The Bob Graham Center for Public Service, University of Florida, Gainesville, Civic Scholar Lecture, February 14, 2018.

Invited Talk, "Voting in Florida," Voter Suppression Forum, The Bob Graham Center for Public Service, University of Florida, Gainesville, November 13, 2017.

Invited Talk, "Journalist-Scholar Big Data Partnerships," Investigative Reporters and Editors, The National Institute for Computer-Assisted Reporting, Annual Conference, Jacksonville, FL, March 2, 2016.

Invited Talk, "Florida's Constitutional Revision Commission and Game Theory," Future of Florida Summit, University of Florida, Gainesville, Florida, February 18, 2016.

Invited Talk, "Explaining Trump's Win in Florida: 10 Election Myths and Realities," Graham Center, University of Florida, Gainesville, Florida, November 14, 2016.

Invited Response, Michael Kang (Emory School of Law) "Law and Politics of Judging Election Cases," University of Florida School of Law, Gainesville, Florida, November 4, 2016.

Invited Talk, "Patterns of Political Participation in Florida," Women, Race, and the U.S. Presidency, The Center for The Study of Race and Race Relations & The Center for Gender, Sexualities, and Women's Studies Research, University of Florida, Gainesville, October 13, 2016.

Invited Talk, "The Structural Pathologies of the American Electoral System," US Fulbright Association (UF International Center), Gainesville, September 27, 2016.

Invited Talk, "Registered Voters and Turnout in Alachua County," Gainesville Area Chamber of Commerce's Leadership Gainesville 43 Government and Policy Day, September 8, 2016.

Invited Talk, "The Politics of Voter Suppression in Florida," Santa Fe College, American Democracy Project, February 9, 2016.

Invited Talk, "The Contributions and Conundrums of Technology: EAVS Data Reporting Consistency," at The Evolution of Election Administration since the VRA, Auburn University, September 15, 2015 (with Lia Merivaki).

Invited Talk, "2014 Election Wrap-Up," Graham Center, University of Florida, Gainesville, Florida, November 6, 2014.

Roundtable Participant, "I Am A Millennial: The Importance of the Youth and Minority Vote," Graham Center, University of Florida, October 23, 2014.

Invited Talk, "Voting Rights in North Carolina," Emory University, Atlanta, April 8, 2014.

Keynote Speaker, "Anticipating 2014: The State of Voting Rights in Florida," Gainesville Labor Council, Gainesville, Florida, December 9, 2013.

Invited Talk, "Design Fail: The Attack on Voting Rights in Florida," University of Florida Retired Faculty, Harn Museum, University of Florida, February 22, 2013.

Keynote Speaker, "The Attack on Voting Rights in Florida," Gainesville Labor Council, Gainesville, Florida, December 10, 2012.

"Moved by the Spirit? Atmospherics and Ballot Measure Vote Choice," Initiatives and Referendums in the Elections of 2012, University of Southern California, November 16, 2012 (with Charles Dahan).

Invited Talk, "Design #Fail: Voting Rights in Florida," Graham Center's Election Wrap Up: Decision 2012, University of Florida, Gainesville, Florida, November 13, 2012.

Invited Talk, "Consolidating Representation in Ghana? Parliamentary Malapportionment and Rejected Ballots," *Stability Amidst Chaos: Reflections on Two Decades of Ghanaian Democracy*, Program of African Studies, Northwestern University, Chicago, Illinois, October 12, 2012.

Keynote Speaker, "Curtailling Voting Rights in Florida," *Civic Dialogues and the 2012 Election in the United States*, College of Central Florida, Ocala, Florida, October 22, 2012.

Keynote Speaker, "The Return of Jim Crow? Voting Rights Under Florida's House Bill 1355," League of Women Voters, Annual Fall Luncheon, Gainesville, Florida, September 11, 2012.

Invited Talk, "Litigating Voting Rights in Florida," 8th Judicial Circuit Florida Bar Association, Continuing Legal Education, Gainesville, Florida, September 21, 2012.

Invited Presentation, "The Impact of HB 1355 on Florida's Hispanics," Gator Academic Outreach Symposium, co-hosted by Hispanic Alumni Association and Miami-Dade College, Miami, FL, May 11, 2012.

Invited Talk, "Voting and Elections in the United States," US Embassy, Accra, Ghana, live satellite talk to US Embassy, Ivory Coast, October 3, 2011.

Invited Public Lecture, "Ghana's National Electoral Commission and the 2012 Elections: The Malapportionment of Parliamentary Constituencies, Rejected Ballots, and Questions of Representation," Department of Political Science International Lecture Series, University of Ghana, Accra, Ghana, November 17, 2011. [Q&A followed by several media interviews, including RadioUniverse, Ghana Television Broadcasting and TV3].

Invited Public Lecture, "Assessing the Credibility of Public Opinion Polls," Ghana Center for Democratic Development (CDD-Ghana), Accra, Ghana, November 23, 2011. [Taped broadcast by TV3 and several FM stations].

Invited Talk, "Obama to Blame?" Penn State University, February 26, 2010.

Invited Talk, "Shirking the Initiative?" Rutgers University, November 6-7, 2008.

Invited Talk, "Granting Power to the People: The Adoption of Direct Democracy in the American States," Bose Series Lecturer, University of Iowa, Iowa City, November 7-10, 2007.

Invited Talk, "Instrumental Effects of the Initiative in the American States," The Voice of the Crowd—Colorado's Initiative, Byron R. White Center for the Study of American Constitutional Law, University of Colorado, Boulder, Old Supreme Court Chambers, Colorado State Capitol, Denver, January 26, 2007.

Invited Paper/Presentation, "Initiating Reform: The Effects of Ballot Measures on State Election and Ethics Policy," 2008 and Beyond: The Future of Election and Ethics Reform in the States, Ohio State Capital Building, Kent State University, January 16, 2007.

Invited Paper/Presentation, "Financing Ballot Measures in the American States," Financing Referendum Campaigns Conference, University of Zurich, Switzerland, October 27-29, 2006.

Invited Talk, "Pressure at the Polls/Ballot Initiatives," Capitol Beat Conference, Columbus, OH, August, 2006.

Invited Talk, "Turnout and Priming Effects of Ballot Initiatives," Ballot Initiative Strategy Center Spring Briefing, National Education Association, Washington, DC, May 11, 2006.

Invited Talk, "The People as Legislators: The Influence of Direct Democracy," Moritz College of Law, Ohio State University, Columbus, OH, March 3, 2006.

Invited Public Debate, "Initiative Reform in Florida," *Orlando Regional Chamber of Commerce*, Orlando, FL, February 23, 2006.

Invited Talk, "Direct Democracy: The Battle over Citizen Lawmaking," *Minnesota Council of Nonprofits, Public Policy Day 2006: Nonprofits as a Force for Change*, Minneapolis, MN, January 26, 2006.

Keynote Speaker, "Taking the Initiative in Florida," *National Conference of Editorial Writers Regional Conference*, University of Central Florida, Orlando, FL, October 16, 2005.

Panelist, "The Educative Effects of Direct Democracy," *Direct Democracy: Historical Roots and Political Realities*, The Bill Lane Center for the Study of the North American West, Stanford University, Stanford, CA, April 14-15, 2005.

Panelist, "The Initiative and Referendum Process," *The 2004 Election: What Does it Mean for Campaigns and Governance?* University of Southern California Law School, Los Angeles, CA, October 8, 2004.

Invited Talk, "Florida's Initiative Process," Oak Hammock, Gainesville, FL, October 21, 2004.

Invited Talk, "Educated by Initiative," Oak Hammock, Gainesville, FL, October 6, 2004.

Invited Talk, "Are Initiatives Good or Bad for Business," *National Chamber of Commerce Federation*, Boca Raton, FL, February 22, 2004.

Panelist, "Roundtable on Florida Politics," *UF-FSU Colloquium*, Gainesville, FL, November 10, 2003.

Panelist, "Initiatives and Referenda: Implications for Public Administration and Governance," *National Academy of Public Administration*, Washington, DC, October 22, 2003.

Panelist, "Initiatives and Referenda: Direct Democracy or Government for Sale?" *New York Bar Association*, New York City, May 8, 2003.

Keynote Speaker, "Direct Democracy in Colorado: The (Sub)Urban-Rural Divide," *Colorado Water Congress Annual Meeting*, Denver, November 8, 2002.

Invited Talk, "Prospects for a Universal Health Care Ballot Initiative in Florida," Alachua County Labor Party, Gainesville, FL, January 25, 2002.

Invited Talk, "The 2000 Ghana Elections: Lessons for the Future," The Center for African Studies, *University of Florida*, Gainesville, August 28, 2001.

Panelist, "Graduate Studies in Canada and U.S.," *University of Ghana at Legon*, Accra, Ghana, March 14, 2001.

Invited Talk, "Media Coverage of the 2000 [Ghanaian] Elections," *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, March 2, 2001.

Invited Talk, "Ghana's 2000 Elections: The 'Politics of Absence,'" *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, February, 20, 2001.

Panelist, "Special Forum on U.S. Presidential Elections 2000," *University of Ghana at Legon*, Accra, Ghana, November 21, 2000.

Invited Talk, "The Role of The Media in US Elections," *Public Affairs Section, United States Embassy*, Accra, Ghana, October 31, 2000.

Facilitator, "Three's A Crowd? The Fate of Third Parties in America," *Humanities Institute Salon*, Denver, May 4, 11, & 18, 2000.

Chair and Discussant, "Factors Affecting the Success of Initiatives," *Western Political Science Association Conference*, San Jose, March 24-26, 2000.

Invited Talk, "The Progressive Myth: Direct Democracy in Colorado, 1912," *Willamette University*, February 3, 2000.

Invited Talk, "The Initiative to Party: The Partisan - Ballot Initiative Nexus," *Willamette University*, February 3, 2000.

Invited Talk, "Taking the Initiative into the 21st Century," *Colorado Water Congress Annual Meeting*, Broomfield, January 27, 2000.

Invited Talk, "Foundations of the American Political System," *Zhejiang University*, Zhejiang, China, October 13, 1999.

Invited Talk, "Trade, Taiwan, Tiananmen, and Theft: Partisanship in US-China Relations," *Fudan University*, Shanghai, China, October 11, 1999.

Invited Talk, "Republicans, Democrats, and US-China Relations," *The People's University*, Beijing, China, October 9, 1999.

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Invited Talk, "US-China Relations and the 2000 Presidential Election," *China Institute of Contemporary International Relations*, Beijing, China, October 7, 1999.

Invited Talk, "Taking the Initiative: The Role of Money in Ballot Initiatives in the US," *Aspen Community & Institute Committee*, Aspen, August 10, 1999.

Facilitator, "Taking the Initiative: The Politics of Direct Democracy in Colorado," *Humanities Institute Salon*, May 20, May 27, & June 3, 1999.

Invited Talk, "The State of Direct Democracy in Colorado," American Center Series, *University of Colorado at Boulder*, April 9, 1999.

Participant, "TABOR: Today & Tomorrow," Graduate School of Public Affairs, *University of Colorado at Denver*, January 20-21, 1999.

Keynote Speaker, *Colorado Water Congress Annual Meeting*, "The Initiative Process: What You Need to Know," November 10, 1998.

Invited Talk, "The Political Economy of the Bronco's New Stadium Proposal," George Washington High School, *Reach Out DU*, October 15, 1998.

Invited Talk, "The Political Economy of the Bronco's New Stadium Proposal," Cherry Creek High School, *Reach Out DU*, October 15, 1998.

Invited Talk, "Tax Crusaders and the Politics of Direct Democracy," Tattered Cover Bookstore, Denver, August 20, 1998.

Academic Session Leader, "The Politics of Building a New Broncos Stadium," West High School VIP Program, *University of Denver*, April 17, 1998.

Participant, "Proposition 13 and its Progeny: Is California Suffering from an Excess of Democracy?" Institute of Governmental Studies, *University of California, Berkeley*, April 1-2, 1998.

Moderator, "Politics 101," Student Forum, *University of Denver*, March 3, 1998.

Panelist, "Ways to use Technology in Teaching," Dean's Luncheon on Teaching and Learning, *University of Denver*, February 20, 1998.

Panelist, "The End of Empire in Ghana, 1957," The End of Empire: 50 Years of British Withdrawal, Center for Teaching International Relations, *University of Denver*, February 7, 1998.

Moderator, "1996 Candidate Forum," DU Programs Board, *University of Denver*, October 28, 1996.

Invited Talk, "Election 1996," KARIS Community, Denver, October 24, 1996.

Invited Talk, "Faux Populism: Douglas Bruce, Populist Entrepreneur, and the Anti-Tax Moment in Colorado," Humanities Institute, *University of Denver*, October 17, 1996.

Panelist, "The Federal Budget Battle," Sponsored by Omicron Delta Epsilon and Pi Sigma Alpha, *University of Denver*, October 2, 1995.

Invited Talk, "US Energy Policy," Highlands Ranch High School, *Reach Out DU*, November 10, 1995.

Panelist, "Study Abroad," Second Annual University Conference: Internationalization at the University of Denver, *University of Denver*, April, 1994.

Chair and Panelist, "African Studies," Second Annual University Conference: Internationalization at the University of Denver, *University of Denver*, April, 1994.

Panelist, "Public Policy and Work Force Participation: Making the School-to-Work Transition," Public Policy and Work Force Participation Seminar, *University of Pittsburgh*, September 15, 1993.

Rapporteur, "City\$Money Conference," The La Follette Institute for Public Affairs, *University of Wisconsin-Madison*, February 4-6, 1992.

EDITORIAL/ADVISORY BOARDS/REVIEWER

Review Board, *National Science Foundation*, 2016

Editorial Board, *State Politics and Policy*, 1999-2007; 2014-2016

Editorial Board, *Election Law Journal*, 2012-2016.

Review Board, *American Political Science Association (APSA) Small Research Grant Program*, 2004-05.

Review Board, *Fulbright/ American Political Science Association (APSA) Congressional Fellowship Program*, 2002-2005.

Academic Advisory Board, *Annual Editions, State & Local Government* (Brown & Benchmark), 1995-.

Sub-Field Editor, *State Politics, FirstResearch*, 1999-2001.

PROFESSIONAL MEMBERSHIPS

American Political Science Association, 1990-
State Politics and Policy Section, 2000-
President, 2013-2015
Executive Council, 2010-2012
Political Organizations and Parties Section, 2000-
Midwest Political Science Association, 1990-
Southern Political Science Association, 2001-
Western Political Science Association, 1994-
Local Co-Host, Annual Meeting (Denver), 2003
Chair, Committee on Membership, Attendance, and Registration, 1998-2000

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Section Chair, State Politics and Policy, 1999 Annual Conference (Seattle)
 Member, Charles Redd Politics of the American West Award Committee, 1999
 Chair, Best Dissertation Award Committee, 1999-2001
 Florida Political Science Association (1994-)
 Section Chair, State Politics, 2004 Annual Conference (Gainesville)

PROFESSIONAL APPOINTMENTS

Research Associate, *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, 2011.
 Research Scholar, *Bill Lane Center for the Study of the American West*, Stanford University, 2007.
 Senior Research Scholar, *Ballot Initiative Strategy Center Foundation (BISCF)*, Nonprofit 501 (c)(3), Washington, DC, (www.ballot.org), 2006.
 Board of Directors, *Ballot Initiative Strategy Center Foundation (BISCF)*, Nonprofit 501 (c)(3), Washington, DC, 2000-2019.
 Board of Scholars, *Initiative & Referendum Institute*, USC Law School, University of Southern California, 2004-.
 Senior Research Fellow, *Initiative & Referendum Institute*, Washington, DC, 1998-2003.
 Research Associate, *Ghana Center for Democratic Development (CDD-Ghana)*, Accra, Ghana, 2000-01.
 President & Co-Founder, *Citizens Institute for Voter Information in Colorado (CIVIC)*, Denver, CO, 1998-2001.

UNIVERSITY SERVICE

University of Florida

College/University

Appointed Member, Latin American Studies Search Committee (Latino Studies), 2014-15
 Appointed Member, Political Science/African Studies Search Committee, 2013-14
 Appointed Member, 20th Century American History Search Committee (History), 2008-09
 Appointed Member, Latino Studies Search Committee (LAS), 2006-07
 Departmental Representative, United Faculty of Florida, 2003-
 Alternate Senator, United Faculty of Florida, 2005-
 State Delegate, Florida Education Association, 2006-
 Elected Member, College of Arts and Sciences, Nominating Committee, 2004-06
 Appointed Member, University of Florida Fulbright Committee, 2003-07

Department

Chair, 2017-
 Graduate Coordinator, 2014-2016
 Associate Chair, 2013-2014
 Appointed Member, Informatics Search Committee (Departmental Representative), 2013-14
 Appointed Member, Promotion (Full) Review Committee (Service), Leonardo Villalon, 2011
 Appointed Member, Promotion (Full) Review Committee (Research), Badredine Arfi, 2010
 Elected Member, Chair's Advisory Committee, 2004-05; 2006-07 (Chair); 2007-08 (Chair); 2010-11; 2012-13
 Elected Member, Chair Search Committee, 2004; 2009
 Appointed Member, Tenure Review Committee (Research), Daniel O'Neill, 2008
 Appointed Faculty Mentor, State Senator Mike Haridopolos, 2008-09
 Appointed Member, Strategic Planning Committee, 2008-09
 Appointed Director, Graduate Program in Political Campaigning, 2007-11
 Appointed Member, Committee to establish Undergraduate Certificate in Political Campaigning, 2007
 Elected Member, Market Equity Committee, 2006-07 (Chair); 2007-08; 2008-09 (Chair)
 Appointed Internship Coordinator, 2005-
 Elected Member, Merit Committee, 2004-05; 2005-06; 2006-07 (Chair)
 Appointed Faculty Mentor, Marcus Hendershot, 2006-
 Appointed Faculty Mentor, Helena Rodriques, 2005-06
 Appointed Member, Ad-Hoc Graduate Teaching Committee, 2005-06
 Appointed Member (Chair), Latino Politics Search Committee, 2004-05
 Appointed Member, Tenure and Promotion Committee (Samuel Barkin), 2004.
 Appointed Member, Mid-Career and Mentoring Task Force, 2004-05
 Appointed Member, Speakers Committee (Chair), 2003-05.
 Appointed Member, Tenure and Promotion Committee (Richard Conley), 2003.
 Appointed Member, Political Science Best Undergraduate Paper Award Committee, 2003-04

University of Denver

Social Science Promotion and Tenure Committee, 1999-2000
 Joint Ph.D. Program in Religious and Theological Studies, (with *Iliff School of Theology*), 1999-2002
 AH/SOCS Grade Appeals Committee, 1999-2001
 Phi Beta Kappa Selection Committee, *Gamma* of Colorado, 1998-2002
 Partners in Scholarship (PINS) Committee, 1997-2000

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AH/SOCS Elected Faculty Committee, 1996-98
Post-Tenure Review Committee, 1996-98
SOAR (Summer Orientation), 1997-2000
Faculty Senate Representative, 1995-1996
Study Abroad Faculty Advisory Committee, 1995-2000
Study Abroad Travel Scholarships Committee, 1995-2000
Faculty Member, Culture and Critical Studies Program, 1995-2000
Faculty Mentor, 1995-2000
Reach-Out DU, 1995-2000
Advisor, Department of Political Science Honors Program, 1995-1996

MEDIA INTERVIEWS

Quoted more than 1,000 times by the media (newspaper, radio, television) on various political issues, including the *New York Times*, *Wall Street Journal*, *Washington Post*, *USA Today*, *Bloomberg*, *The Economist*, *Newsweek*, *Time*, *CNN*, *CBS News*, *Fox News*, *National Public Radio*, *Tampa Bay Times*, *Miami Herald*, *Florida Times-Union*, *San Francisco Chronicle*, *Los Angeles Times*, *Chicago Tribune*, *Boston Globe*, etc.